JESUS RODRIGUEZ ASSISTANT DURBICT ATTORNEY



San Diego 330 Wan Broadway San Diego, CA 92101 (619) 531-4040

http://www.sandiegoda.com

	November 1, 2004	· ·	•
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Adolfo Gonzales	المراج والمستقد والمستقد المراج والمتعارض والم	en en esperante de la companya de l	to the second se
Chief of Police National City Police Departmen	••	•	
1200 National City Boulevard	<b></b>	•	
National City, CA 91950		•	
		**************************************	M
	on March 11, arward and Chris Miller; NCP 5PS; Deputy District Attorney a		; DA Special
Dear Chief Gonzales:			
We have reviewed the reports as non-fatal shooting of District Attorney Investigator re	nd other materials compiled by your by the above named of	our department cor ficers on March 11	cerning the
District Attorney Investigator re your investigators.	sponded to the scene soon after t	he incident and wa	s briefed by
Persons Involved	**************************************	Control of the Contro	- 17 (1 - 17 - 17 - 17 - 17 - 17 - 17 -
Richard Ortiz, age 22, was an "I driver of the stolen vehicle invol	ris Street" gang member, on prob lved in the incident.	pation for auto thef	t, and the
age was	a passenger in the vehicle.		
Officer Chris Miller was assigned	ed as a patrol officer.	,	,
Officer Daniel Harward was assi	igned as a School Liaison Office	r.	
involved in an argument with tw said Mr. Ortiz took his car keys,	lock of East 28th Street. While to to acquaintances—one of them we watch and eigarettes, at knife po s car later that evening at East 24 . Mr. Ortiz refused to return the	here, Mr. The be vas Richard Ortiz. Int, and left in his th Street and High vehicle and drove	came Mr.

Chief Adolfo Gonzales November 1, 2004 Page 2 of 4

At about 10:30 a.m., before the stolen vehicle report was taken, officers located the car illegally parked in the west alley of the 1900 block of Wilson Avenue. The officers contacted Mr. Ortiz and two others who were in the vehicle, and they requested that the vehicle be properly parked. After checking to see if the car had been reported stolen, the officers left.

At about 11:00 a.m. the license plate number of the stolen vehicle was given to your dispatcher, who noted the number, was the same as the illegally parked vehicle's, and officers began searching for the car.

Officer Harward located the second second in a parking lot at 620 East 24th S	reet and
requested that Officer Miller assist him in checking on the vehicle. At about th	e same time, Mr.
who was riding a bicycle in the parking lot, saw his car. Mr.	
Mr. who was sitting in the front passenger seat, where Mr. Ortiz was. 1	Mr. told
him Mr. Ortiz was inside the apartment complex. Mr. Trode a short distant	ice and saw the
officers approaching on foot. Mr. rode his bike back into the lot and saw	Mr. Ortiz
entering the vehicle. Mr. welled at Mr. Ortiz to leave the keys and the ca	r, but Mr. Ortiz
said "no" and started the motor, backing out of the parking stall and driving div	ectly at Mr.
Mr. moved behind a parked car to avoid being hit.	

Mr. Ortiz then drove the car directly at the officers. Officer Harward extended his hand and repeatedly ordered Mr. Ortiz to stop, but the vehicle continued toward the officers.

### Shooting Incident

As the sped toward the officers, Officer Harward saw Mr. Ortiz look directly at him, accelerate, and continue directly toward him and Officer Miller. The did not slow down, and when the officers moved, Mr. Ortiz turned the car toward them. Officer Harward said he believed Mr. Ortiz was intentionally driving at him and Officer Miller, so he fired two rounds at the car as he attempted to move out of the way. Officer Miller also fired, thinking Mr. Ortiz was trying to hit them. He thought the vehicle had actually struck Officer Harward as it passed. Mr. Ortiz was trying to run the officers down.

The field and was involved in a traffic accident at the intersection of East 28th Street and F Avenue. Mr. Ortiz was captured near the scene of the accident. Officer Harward located Mr. Ortiz was captured near the scene of the accident. Officer Harward located Mr. Ortiz was captured near the scene of the accident. Officer Harward located Mr. Ortiz was captured back. Mr. Ortiz was the curb. Mr. Ortiz was the officers he panicked and drove straight at them at a high rate of speed, trying to intimidate them.

### Additional Investigation

The control of the apartment complex was seated in her car in the parking lot during the incident. She said the control drove directly at the officers at a high rate of speed. She told a detective the officers would have been hit if they had not shot at the vehicle and caused it to veer to the left.

Chief Adolfo Gonzales November 1, 2004 Page 3 of 4

Examination of the physical evidence revealed that Officer Harward fired his gun twice and Officer Miller fired seven times. There were six bullet impacts on the vehicle

A toxicological examination revealed the presence of methamphetamine in Mr. Ortiz's system.

Legal Analysis

This review was conducted pursuant to the joint protocol between this office and all San Diego law enforcement agencies calling upon the District Attorney to conduct an independent assessment of the circumstances surrounding the use of deadly force. The review does not examine such issues as compliance with the policies and procedures of any law enforcement agency, ways to improve training, or any issues related to civil liability. Accordingly, such a review should not be interpreted as expressing an opinion on these matters.

Under California law, peace officers may use deadly force to protect themselves from the threat of death or great bodily harm and to use reasonable force in making an arrest. California Penal Code section 835a allows an officer to use reasonable force to make an arrest and to overcome resistance by a person for whom he has reasonable cause to believe has committed a public offense. That section states the officer need not retreat or desist his effort to effect an arrest because of that person's resistance.

In accordance with Penal Code section 196, peace officers may use deadly force in the course of their duties under circumstances not available to members of the general public. We are mindful, however, that certain limits on the use of deadly force apply to peace officers. The U.S. Ninth Circuit Court of Appeals, in the case of Scott v. Henrich (9th Cir. 1994) 39 F.3d 912, delineated those circumstances under which deadly force may be used:

"[P]olice may use only such force as is objectively reasonable under the circumstances. An officer's use of deadly force is reasonable only if 'the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others.' All determinations of unreasonable force 'must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.'" [Citations omitted.]

Irrespective of any laws applicable to situations where peace officers use deadly force in accomplishing their duties, the law of self defense and defense of others is available to any person.

### **Conclusions**

In this case, Officers Harward and Miller were confronted by a speeding vehicle bearing down on them in an attempt to escape. According to the officers and witnesses, including one witness inside the car, the car was headed directly at the officers at a high rate of speed, and only veered away from the officers as a result of their defending themselves by firing at the vehicle. While it is unfortunate that Mr. a passenger, was wounded in this incident, the decision by the

Chief Adolfo Gonzales November 1, 2004 Page 4 of 4

officers to fire at the vehicle was reasonable under the circumstances, and their use of deadly force was justified. The fact that Mr. Table rather than Mr. Ortiz, was wounded, does not change our assessment that the conduct of the officers was appropriate under the circumstances. The officers bear no criminal liability for their actions.

We anticipate no further action in this matter other than the continuing prosecution of Mr. Ortiz. A copy of this letter, along with the materials submitted for our review, will be retained in our files.

Sincerely,

BONNIÈ M. DUMANIS

District-Attorney

By:

JULIE KORSMEYER

Deputy District Attorney

Chief, Special Operations Division

JK:jh

# National City Police Department ADMINISTRATIVE INVESTIGATION TRACKING FORM

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To: Chief Aldolfo Gonzales

From: Sergeant Michael J. King

Subject: Internal Affairs Investigation #03IA003

### DATE AND TIME OF OCCURRENCE:

March 11, 2002/1224 hours

### OFFICER INVESTIGATED:

Officer Christopher Miller Officer Daniel Harward

### SYNOPSIS:

On March 11, 2004, at about 1224 hours, Officers Harward and Miller were investigating the report of a carjacked vehicle at the apartment complex located at 631 E. 28<sup>th</sup> Street. The victim of the carjacking told the officers that the stolen vehicle was parked in the rear (south) parking lot of the complex.

Officers Harward and Miller walked into the parking lot at the west entrance from F Avenue. As they walked in an easterly direction in the parking lot, they saw the suspect vehicle being backed quickly southbound out of a parking stall in the north portion of the lot. The driver of the stolen car swiftly turned in a westerly direction and accelerated westbound directly at Officers Harward and Miller.

The officers attempted to move to the north, but, according to the officers and witnesses, the vehicle accelerated so quickly and at such a high rate of speed that the officers were forced to fire their service pistols toward the driver of the vehicle. A combination of the evading movements of the officers and the firing of their weapons saved them from being struck by the car.

As the rounds from the service pistols of both of the officers struck the vehicle, the car veered somewhat to the southwest and sped past the officers to the south, almost striking Officer Harward. When the car was proceeding past the officers, Officer Miller fired additional rounds in an attempt to stop the fleeing vehicle from proceeding further because of the excessive force and atrociousness of the driver's actions seconds earlier. The vehicle was able to speed southbound on F Avenue.

The car was being driven so fast and erratically that the suspect vehicle collided with another car, which was stopped on F Avenue near Sweetwater Union High School, about 300 yards south of the shooting incident. Other officers apprehended the driver and two passengers at or near the collision site. One of the passengers was struck in leg by one of the rounds fired by the officers.

### LOCATION OF INCIDENT:

631 E. 28<sup>th</sup> Street

### DEPARTMENT POLICY APPLICABLE:

Operating Procedure #52 - Use of Force, states (in part) reasonable force may be applied consistent with California Penal Code section 835a. Officers shall not use more force in any situation than is necessary to effect lawful objectives and is appropriate under the circumstances.

Deadly force against any person, including a fleeing felon, may only be used when an officer reasonably believes that the action is necessary as a means of self defense from death or serious injury; to defend any other victim from death or serious injury; to prevent a crime in which human life is in serious jeopardy as a result of a suspect's actions; to apprehend a fleeing felon if the felony is a forcible and atrocious one which threatens death or serious injury.

### IVESTIGATION:

Detective Taylor and I were called out to the scene on March 11, 2004. Detective Sergeant Triviz briefed us. I reviewed the parking lot shooting scene at 631 E. 28<sup>th</sup> Street and the area of the vehicle collision, located at the intersection of F Avenue and E. 28<sup>th</sup> Street. Detectives and traffic investigators processed both scenes completely. Each investigator submitted thorough, written reports detailing their actions and observations. Detectives located and comprehensively interviewed witnesses.

The victim of the carjacking, with and the apartment complex involving the shooting in the parking lot. and gave detailed statements, which verified that the driver of the suspect vehicle, Richard Ortiz, absolutely tried to run down both officers. Both witnesses felt the officers were completely justified in firing at the suspect vehicle.

said, 'They (the officers) didn't have time to react to get out of the way. It would have hit'em straight on if they hadn't fired." In the crime report told Detective Nagle that the officers pulled their guns as Richard Ortiz was driving directly at them. Saw both officers trying to get out of the way of the suspect vehicle, but Ortiz was still driving at them at high speed. Both officers fired at Ortiz as he drove directly at them.

Maria Urzua, one of the passengers in the suspect vehicle stated, "Richard (Ortiz) began panicking. The police started walking up the driveway, and he didn't care if the cops were there. He wanted the cops out of the way. There were cops in front of us.'' Richard Ortiz and the other passenger, (invoked their Miranda rights when asked by detectives to provide a statement.

Officers Miller and Harward gave voluntary statements to Detectives Grande and Remmers. The officer's statements to the detectives are thorough and specific in the articulation of their reasonable fear

for their own safety. They also feared for the safety of each other as Ortiz tried to run them down. Both officers fired several rounds at the suspect vehicle as the vehicle came at them.

Officer Miller fired additional rounds at Ortiz as the vehicle veered closely past them and one final round as the vehicle sped southbound on F Avenue. Officer Miller fired the rounds at the fleeing vehicle because he was very concerned the suspect vehicle would get away. Officer Miller obviously realized the atrociousness of the attempt by Ortiz to run over both officers. Officer Miller undoubtedly did not want the public to be subjected to possible serious injury from Ortiz during his escape.

The crime report (#0402679) regarding this officer involved shooting is very comprehensive and gives specific detail to the crime scenes and the circumstances of the case. The statements of all the persons involved are adequately depicted. I did not find it prudent to interview either Officers Miller and Harward or any of the witnesses in the case.

The case against Ortiz was submitted to the District Attorney's Office. Ortiz pled guilty to 211 P.C. Robbery, 245 (c), Assault with a Deadly Weapon, and 10851 V.C. Vehicle Theft.

### FINDING:

Officers Miller and Harward were in full uniform when they approached the carjacked suspect vehicle on March 11, 2003. David Ortiz attempted to run down both officers in order to escape arrest. Both officers tried to move out of the path of the suspect vehicle, but Ortiz was intent on striking the officers. Ortiz did not veer away from the officers until after the officers opened fire to protect themselves from death or serious bodily injury.

Officer Miller fired additional rounds at Ortiz after Officer Miller and Officer Harward were out of danger from being run over by the vehicle. Officer Miller fired the rounds to stop an obvious fleeing, atrocious felon from escaping. Officer Miller was undoubtedly concerned for the safety of the public should Ortiz escape.

Officer Miller's obvious fears for public safety were true. Within a few seconds Ortiz drove the vehicle into another car, which was stopped near the intersection of F Avenue and E. 28<sup>th</sup> Street to drop off a female. This female was injured as a result of the collision. Additionally, Ortiz fled the scene of the accident, but was apprehended a short time later by several officers. The officers found him hiding in the yard of a nearby residence.

Based on the information from the extensive crime report regarding this officer involved shooting, Officers Miller and Harward are <u>exonerated</u> from any violation of NCPD operation Procedure #52.

#### CONCLUSION:

Officer Miller is exonerated with regards to any violation of NCPD Operating Procedure #52 in this case.

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Officer Harward is exonerated with regards to any violation of NCPD Operating Procedure #52 in this case.

R.S. allen, LT.



# National City Police Department

## PRESS RELEASE

Date/Time: March 11, 2004/1149 hours

Type of Incident: Officer Involved Shooting

Location of Occurrence: 624 E. 24th Street, South Parking Lot

Victim(s):

(Victim of Carjacking)

Age:

(Accident Victim)

Age:

NOTE: SUSPECT'S NAME NOT FOR NEWS RELEASE IF IT POSSIBLY HINDERS INVESTIGATION.

uspect(s): Richard Ortiz,

Age / DOB: 101281

Age / DOB:

Maria Urzua

Age / DOB: 122460

## RESUME OF INCIDENT (Not including "quotation" of suspects, etc.)

The National City Police Department received a report of an armed carjacking of a 1986 the night of March 10, 2004, from East 28th Street in National City. On the morning of March 11, 2004, a civilian Community Service Officer of the police department saw the vehicle in the area of 1800 Wilson Avenue in National City. The vehicle was occupied by thee suspects, two males and a possible female passenger. Officers were dispatched to the location however the vehicle left the area before patrol units arrived.

At about 1149 hours, two National City Police Officers located the vehicle in the south parking lot of an apartment complex located at 620 East 24th Street. The vehicle was seen pulling out of a parking space and occupied by three suspects, two males and one female. The vehicle quickly accelerated forward to a high rate of speed and drove directly at the two officers. The officers having been placed in a position that threatened their safety fired multiple shots at the vehicle as it sped towards them. The suspect vehicle then exited the lot and sped off, south on "F" Avenue and subsequently collided with another uninvolved vehicle about two blocks away at the intersection of "F" Avenue and East 28th Street, north of Sweetwater High School. The driver (Ortiz) of the suspect vehicle fled the scene of the collision and was found inutes later hiding in the shrubs along the side of a nearby residence (631 East 28th Street). He was taken into custody without further incident. The remaining two suspects, and Maria Urzua were passengers and remained at the scene of the collision and were taken into custody. As a result

of the collision, the suspect vehicle and the uninvolved vehicle, a 1981 and ajor damage. A passenger of the complained of pain as a result of the collision and was taken by paramedics to Paramedics	water High School radise Valley Hospital.
Sustained two gunshot wounds; he was transported by parame Maria Urzua complained of pain as a result of the collision and was transported to	
Potential booking charges for all three suspects may range from Carjacking, Assa	· ·

Weapon, to the Attempted Murder of a Police Officer. The investigation is ongoing.

The two National City Police Officers were not injured during the incident and will be placed on Administrative Leave with pay per our agency's policy. The criminal investigation of the incident is being handled by homicide detectives of the National City Police Department. The administrative investigation will be handled by the Department's Internal Affairs Unit.

During the incident, Sweetwater High School, 2900 Highland Avenue, and Olivewood Elementary, 2505 "F" Avenue, were placed under lockdown conditions while officers searched for the outstanding suspect.

Contact Person(s): Jose Tellez, Sergeant
Public Information Officer

Phone No.: (619) 336-4423 Pager: (619) 896-3690 Any requests Copies of reports
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Per Detective Grande Suspect pled Suilty. Suspect pled Suilty. DO NOT SEND supplementals to DA. Care is complete.

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REQUESTS ERETO: D. A.

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NO EXCEPTIONS 
REQUEST

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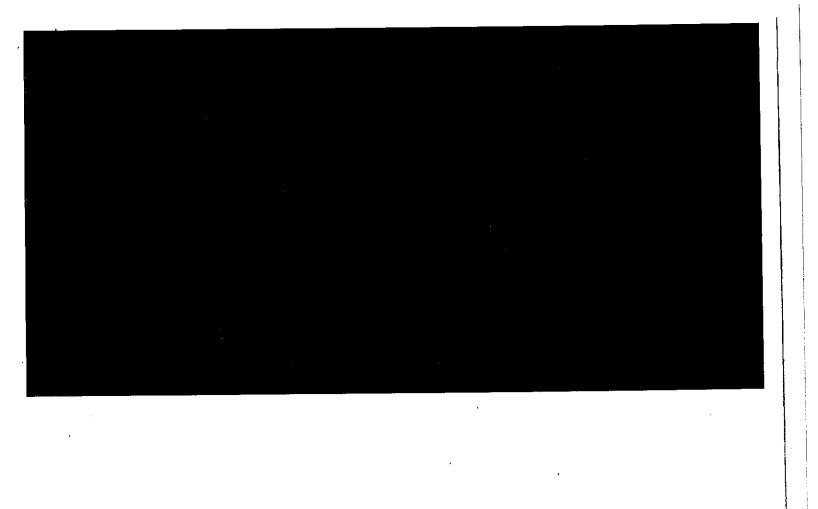
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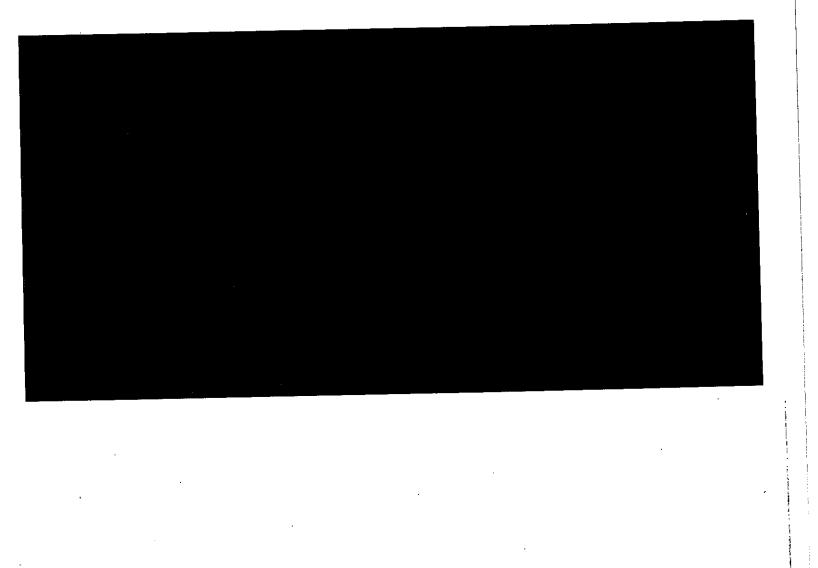
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Telephone (619) 336-4447	0402679		
WITH A VALID PICTURE IDENTIFICATION PRESENT THIS RETO RECOVER THE LISTED PROPERTY. FAILURE TO CLAIM ACCORDING TO LAW. WRITTEN NOTARIZED AUTHORITY FOR BEHALE.	и THIS PROPERTY WITHIN 3	30 DAYS WILL RESULT	<u>IN ITS BEING DISPOSED OF</u>
<u> </u>		PES IF Flow	res #4654
ADDRESS ATT: BRUCE MENZ	I'ES	RELEASE AUTHORIZI	
CITY, STATE		PROP & BUIL	71/NU C
ZIP		DIVISION,	
MANAGEMENT PROPERTY.		06/07/0-	
		DATE	
PHONE NO.	-th-Audust		
PROPERTY LIST: TOO 20247 - COPY	of chara co	garagaya — Aliman yadaf dakka midirinda gagaya gagaya garaya ya aya aya aya a marakin	
J0020735 - Copy of 1	,		
10020027 - Capy of	Proto CD		
10019857 - Copy of Ph	OFU CD		
10019856 - COPY OF PNO	to CD		÷

TOO 19854 - Copy of Photo CD, TOO 19844 - Copy of CD Photo i Certify; under penalty of perjury, that I am the Lawful owner/guardian of the above described property; I have taken possession of the described property.

REOPERTY RECEIVED BY

CULLINS

**√**DATE

9-9-07

CITY OF NATIONAL CITY Holice Department 619 336-4400

National City 28 / 2340 07/09/2007 14:59:46.000 Reg PDCASH Validation Receipt

CHARGES-001-11000-3537 PHOTO PHOTO PROCESS.

125.00

Sub-total

\$\*\*\*\*\*\*\*126.00

PAYMONT -: Check - 0402379

126.00

Change

\$\*\*\*\*\*\*\*\*\*\*0.00

THANK YOU!

Business Hours: 7:30 - 5:30 Monday Through Fridays

2 17.

K John

# National City Police Department

# Crime Lab Work Request

CRIME DATE: 3-11-04 TIME: 11-50
CASE # 6402679 CRIME TYPE: 187-2000-664-211
TAG(S) # TOO 20 24 7 TOO 19854 TOO 19854 TOO 19854
INCIDENT LOCATION: 620 E. 241 Street N.C. Cg.
SUSPECT(S) NAME:
VICTIM(S) NAME: Dan Howard Total Coast OF Protos Cos
OFFICER REQUESTING: Records (5 \$126.00)
ITEMS SUBMITTED:
LAB WORK REQUESTED:
PROCESS FOR LATENT PRINTSPHOTOS911CALL/PRINT OUTBLOOD SWABSHAIR/FIBERCOPY OF DIGITAL DISC
· OTHER:
**************************************
LAB PERSONNEL
CSS Flores PROCESSING DATÉ: 0007 07/00/25
PROCESS USED/RESULTS: Opies completed. OF
given to Resources Sof-Rounds / PER TUAL CULLING
DISPOSITION OF EVIDENCE: PTN TO PROD ATTY
07/09/07

ANY REQUEST FOR ANY
PORTION OF THIS FILE BY L.E.
REFER TO GRANDE- OHIER
REFIELD D. A.
REFIELD D. A.

ANY THING ADDED to this file-2 copies - ONE for D.A. ONE FOR GRANDE

REQUEST FOR/BY INVOLVED
PARTIES - SEND REQUEST
THROUGH MY OFFICE
NO EXCEPTIONS REQUEST
RECOLANDO

Copy of Lt. allen 6/11/04 (for Kassie)

ful copy to Set allen 8/24/04 (oliper Set Grance)

Norriblett copy to attorney woods (object Det Grande) 8/20/04

(or refuerted by Ronnie)

OKA) TO PROCESS THIS REQUEST - PERSOT MOUNDS 06/06/01

## NATIONAL CITY POLICE DEPARTMENT APPLICATION FOR RELEASE OF INFORMATION

PLEASE PRINT CLEARLY	REPORT NUMBER 090 CG 17				
Name BRUCE MENZIES	Phone 619.260-6111				
Address 2029 4th AVE, SUITE #1					
City SAN DIEGO	State CA Zip 72/03				
This will certify that asVictimDriverProper or representative of the above, who because of age or have a proper interest in this accident/incident.	erty Owner Passenger Pedestrian Party of Interest, r physical condition prevents him from representing himself, I				
Signature Type of Report Requested: Traffic Accident Dom Vehicle Theft include License number	Date  Mestic Violence Identity Theft Other Explain) Compact DISCS OF DIGITAL PHOTO  (SEE ATTACHED LIST)				
Date of Accident of mordent of 1100					
Location of Accident or Incident 620 E, 24	ST, NATIL CITY				
INSURANCE COMPANY ONLY - COMPI OR CLAIM NUMBER.	a delay in processing your request.  LETE THIS SECTION. YOU MUST PROVIDE A POLICY				
Company Name	Policy Number				
Andress					
ATTORNEY OR AUTHORIZED INDIVIDUAL.	REPRESENTING INVOLVED PARTY — COMPLETE D AUTHORIZATION OF INDIVIDUAL REPRESENTED,				
This is to certify that I represent					
This is to certify that ITO					
Firm Name Bruce Menzies					
Address 2729 4M Ave Suite 1	SD 92103				
DEPARTMENT USE ONLY					
IdentificationDL,CID,	Other Verified by				
Date Mailed Date Picked up at Front	Counter Amount				
Other Notes:					
Pay 3/03					

Prop. Tac #5!

### **April Flores**

From: Robert Rounds

Sent: Thursday, May 03, 2007 12:17 PM

To: April Flores

Subject: RE: Evidence Viewing

### April,

In follow up to our short conversation in the parking garage this morning---

Atty John Wood cancelled today's appointment. He'd like to come view the evidence on May 15 in the afternoon.

In the meantime, we need to get four copies of every photo taken during this investigation, case #0402679. This applies to both 35mm and digital photos. Please let me know what you need from me to get this going.

Thanks,

Robert

Sergeant Robert Rounds

National City Police Department Internal Affairs/Backgrounds Division (619) 336-4508

----Original Message----

From: April Flores

Sent: Wednesday, May 02, 2007 4:08 PM

To: Robert Rounds

Subject: Evidence Viewing

Robert,

I get back from lunch at 1230. They are going to have to wait ½ hour.

April Flores
Property Evidence Specialist II
National City Police Department
(619)336-4449

### **April Flores**

From: Robert Rounds

Sent: Monday, May 14, 2007 4:00 PM

To: April Flores

Subject: Evidence Viewing

### April,

John Wood called and left me a message. He's showing Thursday the 17<sup>th</sup> on his calendar for the date we were going to meet. I show the 15<sup>th</sup> at 1500 hours. I don't know....

Anyway, If he can come on the 17<sup>th</sup> in the morning at about 0800 hours I'd rather do that. Let me know if this is okay for you.

As for now, I'm still keeping the 15<sup>th</sup> appointment (tomorrow) on my calendar just in case.

Thanks,

Robert

Sergeant Robert Rounds National City Police Department Internal Affairs/Backgrounds Division (619) 336-4508

### **April Flores**

From: Robert Rounds

Sent: Thursday, May 10, 2007 11:48 AM

To: April Flores

Subject: Update on Evidence photos for OIS

### April,

I received a message from Attorney John Wood today. He said three additional copies of the photos you've already provided him will be fine. In addition, you can make copies of CDs containing photos. You don't need to send digital photos out to be prints in hard copy form – CDs are fine.

If you have 35mm film that has not been developed yet – and/or not provided to him already – please make four copies of those photos.

Thanks,

Robert

----Original Message----From: Robert Rounds

Sent: Thursday, May 03, 2007 12:17 PM

To: April Flores

Subject: RE: Evidence Viewing

April,

In follow up to our short conversation in the parking garage this morning---

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In the meantime, we need to get four copies of <u>every</u> photo taken during this investigation, case #0402679. This applies to both 35mm and digital photos. Please let me know what you need from me to get this going.

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Robert

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National City Police Department Internal Affairs/Backgrounds Division (619) 336-4508

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I get back from lunch at 1230. They are going to have to wait ½ hour.

April Flores
Property Evidence Specialist II
National City Police Department
(619)336-4449

### Item Results List - 96 Items

Bar Code	lem Tag	Description	Status	Locker/Destination		Activity Num
10021428	22	AUDIO TAPE - INTERVIEW W	In Storage	LW159A		0402679/B
0021201	96	Videocaseette & audio jint w / Urzuz, Maria	in Storage	LW159A		0402679/B
10021200	21	Audio & video int w /	în Storage	LW159A		0402679/B
10021199	76		In Storage	LW159A		0402679/B
10021198	74	Audio & video int w /	in Storage	LW159A		0402679/B
10020997	20	FILM - recon of crime scene	in Storage	LW159A		0402679/B
10020735	95 5	PHOTO DISC	In Storage	L131G5 - 131G-6	p	0402679/B
10020734	19	8mm video of walk through	In Storage	LW159A		0402679/B
10020733	47	Videocassette & audio Int w /	In Storage	LW159A		0402679/B
10020732	94	Videocassette & audio int w /	In Storage	LW159A	{,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	0402679/B
10020731	46 / 4	Videocassette & audio int w / Off Miller	In Storage	LW159A		0402679/8
10020730	45,	Videocassette & audio int w / Off Harward	in Storage	LW159A	1	0402679/B
0020729	732	✓ Videocassette & Audio Int w / Ortiz	în Storage	LW159A		0402679/B
10020728	72	Videocassette & audio int w / Carranza	n Storage	LW159A		0402679/B
10020625	71	MAP DRAWN BY	In Storage	LW169A		0402679/B
10020622	18	(1) VIDEO (1) PHOTO LINE-UP	in Storage	LW159A		0402679/B
10020419	70	TAPES OF CRAWFORD	In Storage	LW159A	<b>{</b>	0402679/B
10020250	69	35MM FILM - of veh	In Storage	LW159A		0402679/B
10020249	44	35mm photos taken by SDSO	Checked Out	One hour photo stop (4:		0402679/3
10020248	43	LATENT PRINT CARDS - veh	In Storage	LW159A	1	0402679/B
10020247	17 C	PHOTO DISC - veh	In Storage	L131G4 - 131G-4		0402679/B
10020246	93	PROJECTILE from firewall	in Storage	LW159C	F	0402679/B
10020245	16	metal jacket from dashboard	in Storage	LW159C	l	0402679/8
10020244	92	GSR KIT Unit 370	In Storage	LW159C	ş	0402679/B
10020243	68	GSR KIT - Unit 437	In Storage	LW159C	1	0402679/8
10020242	67	tape lifts from windshiel	in Storage	LW159C		0402679/B
10020241	66	sw ab w / red stain, & control sw ab	in Storage	LFRZR - FREEZER	1	D402679/B
10020240	65	grn bagw /baggles,plastic pouch,sorew driv	In Storage	LW159C		0402679/B
10020239	42	blk seatshirt	in Storage	LW159C		0402679/B
10020238	41	ver	in Storage	LW159C		0402679/B
10020199	64	35MM FILM - Off harw ard uniforn, unit	in Storage	LW159A		0402679/B
10020198	63	uniforn pants	Disposed	1	1	Q402679/B
10020197	91	uniforn shirt (harw ard)	Disposed			0402679/B
10020196	15	GSR KIT - Off Harw ard uniform	in Storage	LW159A		0402679/B
10020195	90	GSR KIT - Off Harw and gun belt & boots	In Storage	LW159A	1	0402679/B
10020194	14	GSR KIT- Off Harward	in Storage	LW159A	1	\{0402679/B
10020193	40	FINGERNAIL SCRAPINGS - Off Harward	in Storage	LW159A		0402679/B
10020192	39	bullets	in Storage	LW159A	1 1	0402679/8
10020191	1 1	) bullets	In Storage	LW159A		0402679/B
10020190	1 1	bullets	In Storage	LW159A		\ 0402679/B
10020189		bullets	in Storage	LW159A	1 1	1 0402679/B
10020188		from chamber	Disposed	<b>,</b>	HAR	\ 0402679/B

Page 1

05/30/200

### Item Results List - 96 Items

r					Status	Looker/Destination	lds	Partio	Activity Num
	Bar Code		Tag	Description	Disposed			HARI	0402679/B
- 1	(	89		1 to to Late		LW159A		HARI	0402679/8
	0020186	13		COMMITTEEL OF INNOTANTAL AND	Disposed		<b>i</b>	HAR\	0402679/B
- 1	10020185	88		ett ill Ot 141 berrye	Disposed		•	HARI	0402679/B
Ŀ	10020184	12		Gillotti wint		LW159A		HARI	0402679/B
- 1	10020183	36		COLLINE CAL MINERA CARREST AND	H. 4441 m 3 m	LW159A		HAR	0402679/B
ļ	10020182	35		COLUMN OIL INNO. COMPANY	In Storage	LW159A		HARI	0402679/B
-	10020181	34		Contract Contract	in Storage	LW159A		HARI	0402679/B
ı	0020180	33		I II II OLI II VIII. GGI I II	Disposed	;	İ	HARN	0402679/B
	10020179	60		bullets	Disposed			HAR	0402679/B
	10020178	59	ŀ	bullats	Disposed			HAR	0402679/B
	10020177	87	ļ	rullets bullet	Disposed			HAR	0402679/B
	0020176	32	]		Disposed		DVF030 ()	HARI	0402679/B
-	10020175	86		35 MM FiLM - crime scene	In Storage	LW159A		HARI	0402579/B
E090	10020174	11	1	SHELL CASING -	In Storage	LW159A	1	HARI	0402679/B
	10020173	31 85	l .	SHELL CASING -	In Storage	LW159A			0402679/B
	10020172	30		SHELL CASING -	In Storage	LW159A		HARI	0402679/B
	10020171	29	1	SHELL CASING -	In Storage	LW159A	İ	HAR	0402679/B
	10020170	58		SHELL CASING	in Storage	LW159A		HARI	0402679/B
	10020169	57	1	SHELL CASING	in Storage	LW159A		HARI	0402679/B
	10020168	28		SHELL CASING -	in Storage	LW159A			0402679/B
	10020167	27		SHELL CASING -	In Storage	LW159A		HAR	0402679/B
	10020165	84	1	SHELL CASING -	In Storage	LW169A		HAR	0402679/B
W	10020142	83	BERTHE CO.	(2)AUDIO & (2) VIDEOS INT W	In Storage	LW159A		HAR	0402679/B
· Mar	10020142	26		(ZTAUDIO &(Z)VIDEOS (MASTER & COPIES) OF GAR		LW159A			0402679/B
	10020141	82		PHOTO LINE UP COMPLETED BY	In Storage	LW159A	1	HAR	0402679/8
	10020140	81		PHOTO LINE UP & SKETCH BY	In Storage	LW159A			0402679/B
	10020076	56		CD PLAYER	In Storage	1.1B2 - 1B-2			0402679/B
	10020010	10	i	BLOOD VIALS (S)ORTIZ, RICHARD 101281	In Storage	LREF - REFRIGERATOR	:		0402679/6
	10020040	9		HAIR SAMPLES DRY, WET SECRETIONS SALVA	In Storage	LFRZR - FREEZER		1,	0402679/B
	10020038	55	1	UNDEVELOPED FILM	Checked Out	One hour photo stop (4	4		0402679/B
4		80		WALLET, POCKET KNIFE, PAGER, MATCHES	in Storage	LW159A			0402679/B
****	10020036	8		WOMEN'S RIGHT SHOE	In Storage	LW159A		1	0402679/6
,#s	0020035	54	1	PANTS	In Storage	LW159A			0402679/B
r@	10020034	7		SHIRT	in Storage	LW159A	I		0402679/3
	10020033	25	1	JACKET	in Storage	LW159A			0402679/B
	10020032	24		(1)SAMPLE(1)CONTROL RED STAIN	In Storage	LFRZR - FREEZER	1		0402679/B
	10020032	79		(1) PAIR OF SHOES, (1) PAIR OF SOCKS	In Storage	LW159A	ļ.		\ 0402679/B
	10020030	23		(1)SAMPLE/(1)CONTROL RED STAIN	in Storage	LFRZR - FREEZER	İ		0402679/B
	10020029	53		WOMEN'S LEFT SHOE	In Storage	LW159A			\ 0402679/B
	10020028	52	Ì	UNKNOWN OBJECT	in Storage	LW159A			1 0402679/B
-	10020027	78		(4)DIGITAL CAMERA DISC	In Storage	L131F1 - 131F-1		HAF	1 0402679/6

Page 2

### Item Results List - 96 Items

	Dan Carlo	lem	Tsa	Description	Status	Locker/Destination	 	Activity Num
10000000000000000000000000000000000000	10020026 10020025 10019858 10019857 10019856 10019854	77 5 4 3 49	or w	(1)BEANE(1)SHIRT(1)BELT(1)PAIR OF SHOES	Status In Storage In Storage In Storage In Storage In Storage In Storage In Storage In Storage Checked Out In Storage In Storage	L93G3 - 93G-3 L110B2 - 110B-2 LW159A L131G3 - 131G-3 L131G3 - 131G-3 L131F1 - 131F-1 LW159A One hour photo stop (4: L131F1 - 131F-1 LW159A	HARI HARI HARI HARI HARI HARI HARI HARI	Activity Num 0402679/B 0402679/B 0402679/B 0402679/B 0402679/B 0402679/B 0402679/B 0402679/B 0402679/B 0402679/B 0402679/B
	10019599 10018642	1 78		SKETCH PHOTO LINE UP OF ORTIZ	in Storage In Storage	LW159A LW169A		0402679/B

EVERYTHIS W/ V was copied for Def ATT9 RV Siffornds AF 06/25/57

#### Item Results List - 96 Items

ſ	Bar Code	Item Tag	Description	Status	Locker/Dest kis		
	10021428	22	AUDIO TAPE - INTERVIEW W/F	In Storage	LW159A	HARWARD,	0402679/B
•	10021201	96	Videocassette & audio - int w	In Storage	.LW159A	HARWARD,	0402679/B
-	10021200	21	Audio & video int w / Ruiz, Vict	In Storage	LW159A	HARWARD,	
- [	10021199	.75	Audio & video Int w / Urzua, M	In Storage	LW159A	HARWARD,	
· t	10021198	74	Audio & video Int w	in Storage	LW159A	HARWARD,	
	10020997	20	FILM - recon of crime scene	ln Storage	LW159A	.HARWARD,	
	10020735	95 *	PHOTO DISC	In Storage 🐃	L131G5 - 1	HARWARD,	
	10020734	19	8mm video of walk through	in Storage	LW159A	:HARWARD,	
	10020733	47	Videocassette & audio int w / v		LW169A	HARWARD,	
	10020732	94	Videocassette & audio int w/	in Storage	LW159A	HARWARD,	
	10020731	46	Videocassette & audio int w / 9		LW159A	HARWARD,	
	10020730	45	Videocassette & audio int w/		LW159A	HARWARD,	
	10020729	73	Videocassette & audio int w/		LW159A	HARWARD,	
	10020728	72	Videocassette & audio int w/	In Storage	LW159A	HARWARD,	
	10020625	71	MAP DRAWN BY	in Storage	LW159A		0402679/8
	10020622	18	(1)VIDEO (1)PHOTO LINE-UP	h Storage	LW159A		0402679/B
	10020419	70	TAPES OF CRAWFORD	In Storage	LW159A		0402679/B
-	10020380	69	35MM FILM - of veh	in Storage	LW159A		0402679/8
40-34W	100202492	**44	35mmphotos taken by SDSO	In Storage	LW159A		0402679/B
	10020248	43	LATENT PRINT CARDS - veh	In Storage	LW159A		'0402679/B
	10020247	17	PHOTO DISC - veh :		• L131G4 - 1		0402679/B
	10020246	93	PROJECTILE from firewall	in Storage	LW159C		0402679/B
	10020245	16	metal jacket from dashboard	In Storage	LW159C		0402679/B
	10020244	.92	GSR KIT Unit 370	In Storage	LW159C		, 0402679/B
	10020243	68	GSR KiT - Unit 437	n Storage	LW159C		, 0402679/B
	10020242	. 67	tape lifts from windshlel	in Storage	LW159C		, 0402679/B
	10020241	66	swabw/redistain, & control		:LFRZR - FR		, 0402679/B
	10020240	65	grn bagw/baggles,plastic pou		LW159C		, 0402679/B
	10020239	42	blk seatshirt	In Storage	LW159C		, 0402679/B
	10020238	41	vcr	In Storage	LW159C		, 0402679/B
History	10020400	.64	35MM FILM - Off harward,un	if In Storage	LW159A		, 0402679/B
	10020198	-63	uniforn-peats	Disposed	STATE OF THE PARTY		), 0402679/B
	19020197			en Disposed	<b>.</b>		), 0402679/B
	10020196	15	GSR Kff - Off Harw ard unifo		LW159A		), 0402679/B
	10020195	90	GSR KIT - Off Harw and gun l		LW159A		0402679/B
	10020194	14	GSR KIT- Off Harward	In Storage	LW159A		), 0402679/B
	10020193	40	FINGERNAIL SCRAPINGS - C		LW159A		o, 0402679/B
	10020192	∃39	bullets	In Storage	LW159A		), 0402679/B
-	10020191	38	bullets	in Storage	LW159A		o, 0402679/B
	10020190	37	builets	In Storage	LW159A		), 0402679/B
	10020189	62 i	bullets	in Storage	LW159A		D, 0402679/B
	10020488	son 64 mentioners	POR GIVE	redisposed a	<b>A</b>	HARWAR	D, :0402679/B
	10020188	mana di di di di di di di di di di di di di	POPPENS	rwitie paneda	<b>*</b>	HARWARI	D, :0402679/

W159C 182 936-3 11082 VIENING W/AHOMY W/301 Rounds C DU30

Page 1

04/30/2007

#### Item Results List - 96 Items

٢	Bar Code	tem Tag	Description	Status	Locker/Des(lds	Participants	Activity Num
ľ	0020187	80	749 kOsmon	Dispused®	. DVA	HARWARD,	0402679/B
	0020788	13	35MM FILM - Off miller, uniform	In Storage	LW159A	HARWARD,	0402679/B
	0020485	48	uniform parts	P850890	priik	HARWARD,	0402679/B
	0020184		unitern shirt and a second			HARWARD,	0402679/B
-	0020183	36	GSR KIT - Off millers, gun belt,	In Storage	LW159A	HARWARD,	0402679/B
		35	GSR KIT - Off Miller uniform	in Storage	LW159A	HARWARD,	0402679/B
	10020181	34 *	GSR KIT - Off Miller	In Storage	LW159A	HARWARD,	0402679/B
		33	FINGERNAIL SCRAPINGS - Of	In Storage	LW159A	HARWARD,	0402679/B
		G0ammana	Bollets	ENSPOSSE!		HARWARD,	0402679/B
- 1	10020178		bulets	<del>ଏଥାର୍ଚ୍ଚଟ୍ଟଟ୍ଟିଧ</del>		HARWARD,	0402679/B
-	10020477Z		ulle!s	Disposeda		HARWARD,	0402679/B
	0000176		t bullate	Disposedant	•	HARWARD,	0402679/B
Ì	0020175	86	platok automassassas	ensposed?	DV	HARWARD,	0402679/B
	0020174	11	35 MM FILM - crime scene	In Storage	LW159A	HARWARD,	0402679/B
ļ		31	SHELL CASING -	In Storage	LW159A	HARWARD,	0402679/B
	0020172	85	SHELL CASING -	In Storage	LW159A	HARWARD,	0402679/B
	10020171	30	SHELL CASING -	In Storage	LW159A	HARWARD,	.0402679/B
	0020170	29	SHELL CASING -	In Storage	LW159A	HARWARD,	0402679/B
	10020169	58	-SHELL CASING -	in Storage	LW159A	HARWARD,	0402679/B
	10020168	57	SHELL CASING -	h Storage	-LW159A	HARWARD,	0402679/B
	10020167	:28	SHELL CASING -	In Storage	LW159A	HARWARD,	0402679/B
	10020166	27	SHELL CASING -	In Storage	LW159A	HARWARD,	10402679/B
	10020165	84	ISHELL CASING -	In Storage	LW159A	-HARWARD	0402679/B
	10020142	83	(2)AUDIO & (2)VIDEOS INT WI	In Storage	LW159A	HARWARD,	0402679/B
	10020141	26	i(2)AUDIO &(2)VIDEOS (MAST	In Storage	LW159A	HARWARD	0402679/B
	10020140	82	PHOTO LINE UP COMPLETED E	in Storage	LW159A	HARWARD	0402679/B
	0020139	81	PHOTO LINE UP & SKETCH BY	In Storage	LW159A	HARWARD	. 0402679/B
	10020076	56	(CDPLAYER	In Storage	L1B2 - 18-1	HARWARD	, :0402679/B
	10020040	10	IBLOOD VIALS (S)ORTIZ, RICH	In Storage	LREF - REF	HARWARD	0402679/8
	10020039	9	HAIR SAMPLES DRY, WETSE	In Storage	LFRZR - FF	HARWARD	, 0402679/B
way.	100200380	<b>1</b> 55	UNDEVELOPED FILM	In Storage	LW159A	HARWARD	, 0402679/B
	10020037	80	WALLET, POCKET KNIFE, PAGI	In Storage	LW159A	HARWARD	, 0402679/B
	10020036	8	WOMEN'S RIGHT SHOE	n Storage	LW159A		. 0402679/B
	10020035	54	PANTS	in Storage	LW169A		, 0402679/B
	10020034	7	įshikt"	In Storage	LW159A		, 0402679/B
	10020033	25	'JACKET	In Storage	LW159A		0402679/B
	10020032	24	(1)SAMPLE(1)CONTROL RED		LFRZR - FF	HARWARD	, 0402679/B
	10020031	79	(1)PAIR OF SHOES,(1)PAIR C	∥ In Storage	LW159A	HARWARD	, 0402679/B
	10020030	23	(1)SAMPLE/(1)CONTROL REI		LFRZR - FF		, (0402679/B
	10020029	53	WOMEN'S LEFT SHOE	In Storage	LW159A	HARWARD	), :0402679/B
	10020028	52	UNKNOWN OBJECT 💌	In Storage	LW159A		), :0402679/B
	10020027	78	;(1)DIGITAL CAMERA DISC	In Storage⊿	L131F1 - 10	HARWARD	), i0402679/B

Page 2

04/30/2007

### Item Results List - 96 Items

Bar Code	ltem	Tag	Description	Status	Locker/Dest kis	Participants	Activity Num
	6	¥	(1) PLASTIC PIECE OF PEN	in Storage	L93G3 - 93	HARWARD	0402679/B
10020025	51		(1)BEANIE(1)SHIRT(1)BELT(1;	In Storage	L110B2 - 1	HARWARD,	0402679/B
10019858	50		NOTEBOOK WIFIELD NOTES (		:LW159A	HARWARD,	0402679/B
1.5	.77		PHOTO DISC OF (S) VEHICLE	In Storage ***	L131G3 - 1	HARWARD,	0402679/B
10019856	1 .		DIGITAL CAMERA DISC	In Storage	L131G3 - 1:	HARWARD,	0402679/B
10019854	4		DIGITAL CAMERA DISC	In Storage	L131F1 - 10	HARWARD,	0402679/B
1.5	3		GSR KIT - Ortiz, Richard	In Storage	:LW159A	HARWARD,	·0402679/B
10019845	49		35 MM FILM	In Storage	LW159A	HARWARD,	0402679/B
10019844	2		DIGITAL CAMERA DISC	In Storage ***	L131F1 - 18	HARWARD,	.0402679/B
1	48		VIDEO CASSETTE	in Storage	LW159A	HARWARD,	0402679/B
10019599	1		SKETCH	In Storage	LW159A	'HARWARD,	0402679/B
10018642	76		PHOTO LINE UP OF ORTIZ	in Storage	LW159A	HARWARD,	:0402679/B

Dend request

Through Assist.

Attorney

Sod: Doucette

— No charge for

tapes = only for

copies of reports \$1.00

Sof Rounds & Attry
woods whence whathry Menzies
who who does this go
through? or shall I just
send to P/E. How much
send to P/E. How much
is the cost for tapes? nman-us-

## NATIONAL CITY POLICE DEPARTMENT APPLICATION FOR RELEASE OF INFORMATION

PLEASE PRINT CLEARLY	REPORT NUMBER OYOCS 17
Name BRULE MENZIES	Phone 615.260-6111
City Spn DIEGO	State CA Zip 92103
This will certify that as Victim Driver Property Of or representative of the above, who because of age or physhave a proper interest in this accident/incident.	wnerPassengerPedestrianParty of Interest, ical condition prevents him from representing himself, I
	Date
Signature & Banka and a part of the part o	Violence Identity Theft
Vehicle Theft include License number	ther Explain) COMPACT DISCS OF DIGITAL PHOTO.
•	(SEE ATTACHEDLIST)
Date of Accident or Incident 09/11/09	
Location of Accident or Incident 620 E, 24th S	T) NATICITY
Name(s) of persons involved Note: Incomplete or illegible information may cause a del INSURANCE COMPANY ONLY—COMPLET OR CLAIM NUMBER.	ay in processing your request.  E THIS SECTION, YOU MUST PROVIDE A POLICY
Company Name	Policy Number
Address	
Name BRUCE MENZIES  Phone 69.260.6111  Address 729 4th Ave, Suite #1  City Ser Diego State CA Zip 92103  This will certify that as _VictimDriverProperty OwnerPassengerPedestrianParty of Interest,	
The state of the s	
This is to certify that I represent	
Firm	·
Nome BNICY- MANGIES	<u> </u>
Address Z / Z / J / // // // J J J J J J J J J	5 D 9 2 10 3 Date 5/50/07
Signature	Daw J/ SU/

ANY REQUEST FOR ANY
PORTION OF THIS FILE BY L.E.
REFER TO GRANDE- OHER
REQUESTS REPORTS D. A.
REFER TO A.

ANY THING ADDED to this file-2 Copies - ONE for D.A. ONE FOR GRANDE

REQUEST FOR/BY INVOLVED
PARTIES - SEND REQUEST
THROUGH MY OFFICE
NO EXCEPTIONS THOURN BA

Copy of Lt. allen 6/11/04 (for Kassin)

quel copy to Set. allen 8/24/04 (object Set Grande) 8/20/04

(omplete copy to attorney woods (object Det Grande) 8/20/04

(on refuerted by Ronnie)

OKAN TO PROCESS THIS REQUEST - PERSOT NOUNOS

## NATIONAL CITY POLICE DEPARTMENT APPLICATION FOR RELEASE OF INFORMATION

DI EASE PRINT CLEARLY	REPORT NUMBER 0402679
•	Phone 615.260-6111
Name BRUCE MENZIES	A HOAR
	72/02
PLEASE PRINT CLEARLY  Name BRUCE MENZIES  Phone 65.265.6111  Address 7.25 4th AVE, SUITE th 1  City Sond Diego State CA Zip 7203  This will certify that as _Victim _ Driver _ Property Owner _ Passenger _ Pedestriam _ Draty of Interest, _ You representative of the above, who because of age or physical condition prevents him from representing himself, I have a proper interest in this accident/mejdent.  Signature	
	of hillstour communes for
Signature 1	Date  — паннананананананананананананананананана
Type of Report Requested: Traffic AccidentD Vehicle Theftinclude License number	Other Explain) Compact PISCS OF DIGITAL PHOTO
Date of Accident or incident	
Location of Accident or Incident 620 E, 2	YTO ST, NATIC CHI
INSURANCE COMPANY ONLY - COM OR CLAIM NUMBER.	APLETE THIS SECTION. YOU MUST PROVIDE A TOLICA
Company Name	Policy Number
Requested by	
RESERVED TO THE RESERVED TO TH	A TOTAL TOTAL TOTAL TOTAL AND A STATE OF THE
This is to certify that I represent	
Firm Name Bruce Menziz's	
Address 2729 GM Ave Suite	Date 5/30/07
DEPARTMENT USE ONLY	
Rev. 3/03	·

# National City Police Department

Crime Lab Work Request

CRIME DATE: 3-11-04 TIME: 11.50
CASE # 6402679 CRIME TYPE: 187-2000-644-211  ICO20735 L0020027 ICO 19856 F00198444  TAG(S) # T0020247 F0019857 ICO 19854
TAG(S) # TO020247 T0019857 T0019854
INCIDENT LOCATION: 620 E. 24th Street N.C. Cq.
SUSPECT(S) NAME:
VICTIM(S) NAME: Dan Howard
OFFICER REQUESTING: Records
ITEMS SUBMITTED:
LAB WORK REQUESTED:  PROCESS FOR LATENT PRINTS PHOTOS 911CALL/PRINT OUT BLOOD SWABS HAIR/FIBER COPY OF DIGITAL DISC  OTHER:
LAB PERSONNEL
PES PROCESSING DATE:
PROCESSING DATE:  PROCESSING DATE:  PROCESSING DATE:
DISPOSITION OF EVIDENCE:

## PROP. TAG #5:

IOOZO735 IOOZOZY7 IOOZOZY IOO19857 IOO19854 IOO19854 IOO19844

## Prop. TAG #5:

IOOZO735 IOOZOZY7 IOOZOZY IOO19857 IOO19854 IOO19854 IOO19844

\13C.\

## FIELD PROPERTY RECEIPT / RELEASE FORM

NATIONAL CITY POLICE DEPARTMENT, CITY OF NATIONAL CITY, CALIFORNIA 1200 NATIONAL CITY BLVD \* NATIONAL CITY, CA 91950-4594 \* (619)336-4447

Ų			10		DATE 10 18 04
	NCPD CASE OFFICER'S	# <u>04026</u> NAME/ID# <u>G</u> K	SANDE		paradiply desired and the paradiple desired
		EVIDENCE SAFEKEEPING	FOUND DV HOLD	production of the control of the con	HELD PER 8102 W&I (5150 W&I) SEARCH WARRANT
	PROPERTY LAST NAME	RECEIVED FROM:	MIDDLE	DECEMBER AND THE CONTRACT OF T	PHONE NUMBER
		PROPERTY:	gylikk waarta siininistoon oo kan dastiisiisaa taroonikkii kaka jaar waa yoo loogiish kokan kokaa siisaa siini	THE REAL PROPERTY OF THE PROPE	
	LAST NAME	FICER +	MIDDLE LANGE		PHONE NUMBER  ( ) PHONE NUMBER
	MAILING A	DDRESS:			PHONE NOWDER
	STREET#	TO THE REAL PROPERTY OF THE PR		APT#	
	CITY:		STATE:	ZIP CODE	
		TION OF PROPER	17Y:		
	TAG#	DESCRIPTION (BR	AND, MODEL, COLOR, ETC.)	And the state of t	SERIAL #
	EXOLOGIC	uniform			
	王姆柳 120197				
	1 20198				
	FOUND PI	OPERTY			
1,000			D BY A LAW ENFORCEMENT AG	SENCY, CALIFORNIA CIV	IL CODE SECTION 2080 REQUIRES THE
	ECH COMMING	STATEMENT TO BE	SIGNED BY THE FINDER: <u>LDEC</u> TEMS HAVE BEEN SURRENDER	<u>LAKE UNDER PENALLT</u>	OF ECISION THAT THE COST OF STREET
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	SIGNATURE		and the street of the street o		
	RELEASE	FORM: (OFFIC	ER: DO NOT SIGN UNLESS AU	THORIZING RELEASE!)	
	( CERTIEY I	INDER PENALTY OF	PERJURY THAT I AM THE LAWF	UL OWNER / GUARDIAN	OF THE ABOVE DESCRIBED
	PROPERTY	, THAVE TAKEN POS	SESSION OF THE DESCRIBED I	PROPERTY.	)
	OFFICER'S	SIGNATURE / ID # AL	THORIZING-RELEASE	LAKE	- DATE 103004
	PROPERTY	RELEASED TO:			DATE
	IDENTIFICA	TION TYPE / NUMBE	R		the state of the s
	A				MENT 336-4447
	LININA	V N No. 11 Vd. Classic Berns	MIN) I TORNAC MINING TO AND THE TOTAL TO THE MINING THE		

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## FIELD PROPERTY RECEIPT / RELEASE FORM

NATIONAL CITY POLICE DEPARTMENT, CITY OF NATIONAL CITY, CALIFORNIA 1200 NATIONAL CITY BLVD \* NATIONAL CITY, CA 91950-4594 \* (619)336-4447

1200 14 (1721)			DATE 10 18 04
ICPD CASE #	C	1	DATE
OFFICER'S NAME / ID# 66	VIN EVE	,	age with the same of the same
PRICERSIAMENT			HELD PER 8102 W&I (5150 W&I)
EVIDENCE	FOUND		SEARCH WARRANT
SAFEKEEPING	DV HOLD		SEARCH
PROPERTY RECEIVED FROM:			PHONE NUMBER
LAST NAME FIRST	MIDDLE		PHONE MOMENT
OWNER OF PROPERTY:		CONTROL OF THE PROPERTY OF THE	PHONE NUMBER
LAST NAME FIRST	MIDDLE		
LAST NAME FIRST		CONTAC	CT PHONE NUMBER
MAILING ADDRESS:			
STREET#	A	PT#	The state of the s
STILL IT	and the state of t	ማሆን ሶሶ	nc.
CITY:	STATE:	ZIP COL	
SECONDITION OF PROPERT	Υ:		SERIAL #
TAG# DESCRIPTION (BRA	AND, MODEL, COLOR, ETC.)	······································	She Nicher (1
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ETOM VICTORY			
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and the sec			
FOUND PROPERTY	A CONTRACTOR AND A CONTRACT A CON	ENCY CALIFORNIA	CIVIL CODE SECTION 2080 REQUIRES T
WHEN FOUND PROPERTY IS HELD	D BY A LAW ENFORCEMENT AG	ARE UNDER PENAL	CIVIL CODE SECTION 2080 REQUIRES T TY OF PERJURY THAT THE ABOVE LIST
FOLLOWING STATEMENT TO BE S	GIGNED BY THE LINDER TOPOE	ED AND I DO NOT K	TY OF PERJURY THAT THE ABOVE LIST NOW WHO THE TRUE OWNER IS.
FOLLOWING STATEMENT TO BES	EMS HAVE BEEN SURKEINDER	hen out	
			and the second s
SIGNATURE OF FINDER:	and the second s		
ACKNOWLEDGMENT (MUS	T BE SIGNED BY PERSON	IN POSSESSIO	N OF PROPERTY)
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THIS FORM CONSTITUTES NOTICE	TES THAT YOU HAVE RECEIVE	D A COPY OF THIS N	NOTICE. PLEASE REVIEW THE BACK OF
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LABBET UNDER PENALTY OF	PERJURY THAT I AM THE LAWF	UL OWNER / GUARI	DIAN OF THE ABOVE DESCRIBED
PROPERTY. I HAVE TAKEN POS	SESSION OF THE DESCRIBED I	PROPERTY.	<i>i</i>
L.	· **	V MM	DATE X 1030044
OFFICER'S SIGNATURE / ID # AL	THORIZING RELEASE	Death of The same	Control of the contro
	The second secon		DATE
PROPERTY RELEASED TO:			D/Y) 1 100 ,
1	The same of the sa	<u> </u>	•
IDENTIFICATION TYPE / NUMBE	R		
IDENTIFICATION TYPE / NUMBE	R	M 40 END BOOK 60 E E	ATRICALT 226 AAA
IDENTIFICATION TYPE / NUMBE	R	ı APPOII	NTMENT 336-444

Item Listing Activity Number: 0402679 National City Police 1200 National City Blvd National City, CA 91950

										, , , , , , , , , , , , , , , , , , , ,	- · · · <b>,</b>			
Bar Code	Description	Activity Num	Violation	Selzed Date	Received Date	Status Date		Locker or Last Dest	Recd Qty	Out Qty	Qty	Qty In	UOM ÉA	
10000404	Off Harward	0402679/B	215(A)	.03/11/2004	03/17/2004	10/18/2004	ΙÑ	LW159A	1	0	0	1	ËA	
10020194	Off Harward gun	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	ΪN	LW159A	1	0	0	1	EA	
10020195	belt & boots	040201010	21000	••••						_	^	1	EΑ	
Τοδοσιόσ	Off Harward	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	lÑ	LW159A	1	0	0	1	EM	
10020196	uniform	0402.07015		* ***						_		1	EΑ	
10000407	uniforn shirt	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	IN	LW169A	1	0	0	1)	EM	
10020197	(harward)	0-10201010	215(1.)	••••						_		1	E A	
IDDDDADG	uniforn pants	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	IN	LW159A	. 1	0	0		EA EA	
10020198	of	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	SPLIT	LW159A	4	-4	Ü	0	EM	
10020199	harward,uniforn,u	070201010	1.000											
:	nit							£ 2.000			<u>.</u>		m A	
indianada		0402679/B	215(A)	03/12/2004	04/07/2004	10/18/2004	IN	LW159C	1	0	0		EA EA	
10020238	vcr blk seatshirt	0402679/B	215(A)	03/12/2004	04/07/2004	10/18/2004	1N	LW159C	1	0_	. 0	1	EA	
10020239	the second and the second	0402679/B	215(A)	03/12/2004	04/07/2004	10/18/2004	iN	LW159C	3	0	Ų	3	EA	
10020240	grn bagw/baggies,pla	0-10201012	2.000	*										
•	pagwidaggies,pia stic													
	pouch, screwdriv							w	2			2	EĀ	
10000044	swab w/ red stain,	0402679/B	215(A)	03/12/2004	04/07/2004	10/18/2004	iN	LW159C	2	Ō	0		EM.	
10020241	& control swab	0402010/11	21000	• • • • • • • • • • • • • • • • • • • •	_					5	· · · · · · · · · · · · · · · · · · ·	2	EΑ	
10000040	tape lifts from	0402679/B	215(A)	03/12/2004	04/07/2004	10/18/2004	ĪŇ	LW159C	2	0	Ö	2	EA	
10020242	windshiel	0402010/12	2.10(1)	<b># 0.1 1</b>					· · · · · · · · · · · · · · · · · · ·				ĒΑ	
10000010	Unit	0402679/B	215(A)	03/12/2004	04/07/2004	10/18/2004	IN	LW159C	. 1	0	0		EA	
10020243	Unit	0402679/B	215(A)	03/12/2004	04/07/2004	10/18/2004	IN	LW159C	1	Ó Ó	0		EA	
10020244	metal jacket from	0402679/B	215(A)	03/12/2004	04/07/2004	10/18/2004	iÑ	LW159C	1	0	U		EM	
10020245	dashboard	0-10201010	2.150, 4	*					-	•	_	. 4	ĖΑ	
100000040	from firewall	0402679/B	215(A)	04/02/2004	04/07/2004	10/18/2004	IN	LW159C	1	Ō	0	<u>}</u>	EA EA	
10020246	Λeμ Liotti iliemaii	0402679/B	215(A)	03/12/2004	04/07/2004	10/18/2004	1N	L131G4	1	0				
10020247	ven	0402679/B	215(A)	03/12/2004	04/07/2004	10/18/2004	IN	L2E1	6	0	0	63		
10020248		0402679/B	215(A)	04/02/2004	04/07/2004	10/18/2004	IN	LW159C	63	0	U	03	) <u>E</u> A	
10020249	35mm photos taken by SDSO	040201515	# 100 ty	<b>U U</b>									EA	
TORRESON.	The state of the second	0402679/B	215(A)	03/12/2004	04/07/2004	10/18/2004	IN	LW159C	3	0	0			
10020250	of veh	0402679/B	215(A)	03/22/2004	03/25/2004	10/18/2004	ÍN	LW159A	1	0	(	, 1	EA	
10020419	TAPES OF	040201310	21000	00,222,200	• • • • • • • • • • • • • • • • • • • •									
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10020622	(1)VIDEO		z ro(rd)	0 110 11200 1										
:	(1)PHOTO LINE-	•												
*	UP							•						

10/20/2004 03:59 pm Printed By: aflores Page 4 Report #STDEG003

## Vanessa Castro

From:

Daniel Harward

Sent:

Monday, March 28, 2005 5:43 PM Vanessa Castro

To: Subject: RE: 0402679

Trash them.

----Original Message--

From:

Vanessa Castro

Sent:

Monday, March 14, 2005 09:55 Daniel Harward

To:

Subject:

0402679

HELLO OFFICER HARWARD

JUST TO LET YOU KNOW THAT YOUR TIME HAS EXPIRED, WE NEED TO KNOW IF YOU'RE GOING TO PICK UP YOU'RE UNIFORM SHIRT AND AND PANTS OTHERWISE YOU'RE ITEMS WILL BE DISPOSED.

THANKS "V"

NATIONAL CITY POLICE DEPARTMENT CRIME LAB WORK REQUEST

DATE: 03-21-05 PERSON REQUESTING: YMAG GATES	
CASE # 6002679 TAG # TOO 9854 IOO 19844	
TEMS SUBMITTED: SACTOS	
VORK REQUESTED: Only photo # 1-9, 11, 25, 30, 31, 33,	
34, 35 # 36. Thanks &xx	**
LAB PERSONNEL ONLY	
ADET 1. CABRAGES PROCESSING DATE: 03/24/05	
55 A D D D D D D D D D D D D D D D D D D	
PUT ON PHOTO DISK	وار
DISPOSITION OF EVIDENCE: Copy of ICO19844 Rather on	(y) lew

#### Law Offices

## GATES, O'DOHERTY, GONTER & GUY, LLP

11545 West Bernardo Court, Suite 305 Peter J. Gates F. X. Sean O'Doherty San Diego, CA 92127 K. Robert Gonter, Jr. † Phone (858) 676-8600 Douglas D. Guy Thomas A. Scutti Fax (858) 676-8601 Matthew M. Proudfoot Richard A. Muench Marian Walker-Guy Kevin M. Raya

Los Angeles Office 700 S. Flower Street, Suite 1100 Los Angeles, CA 90017 Phone (213) 892-6332 Fax (213) 892-2247

Irvine Office 15635 Alton Parkway, Suite 260 Irvine, CA 92618 Phone (949) 753-0255 Fax (949) 753-0265

February 10, 2005

Inland Empire Office 10601 Civic Center Drive, Suite 120 Rancho Cucamonga, CA 91730 Phone (909) 477-3282 Fax (909) 477-3272

OF COUNSEL: Jonathan Corn

www.gogglaw.com

† Also licensed in Washington

Also licensed in Nevada

Gina Y. Kandarian-Stein

David E. Wilkinson

Victor A. Raphael Alan P. Trafton\* Vincent J. Axelson

Zuriel A. Cervantes

Jeffrey L. Le Pere Victor L. Block Jennifer C. Lyons

Goldy M. Berger Michael H. Shen

> National City Police Department 1200 National City Blvd. National City, CA 91950

> > v. MERCURY INSURANCE COMPANY

Traffic Collision Report Number Our File No.

Dear Sir or Madam:

This firm represents Mercury Insurance Company in a claim for uninsured motorist benefits being made by its insured, was injured in an accident on March 11, 2004, on 28th Street next to Sweetwater High School in National City, when his vehicle was struck by a stolen vehicle operated by Richard Ortiz who was fleeing from National City Police officers.

Following the accident and subsequent investigation, Officer Geidel (ID #401) prepared Traffic Collision Report Number 0402679, in which he refers to several "Supplemental Reports" as follows:

> ". . . Crime Scene Specialist Chavez photographed the scene, both overall and in detail. (Refer to her Supplemental Report [Report, page 6 of 12, paragraph 3]

BY. ....

F:\w\MC\Anguiano\NATIONAL CITY POLICE DEPT 001 (REQ SUPPL REPORTS).doc

Alotos

on scene and collected various items for evidence, including (P-3)'s shoes, shoes and clothing, and a possible bullet fragment in the roadway. She photographed these items prior to collecting them. (Refer to her Supplemental Report.)"
[Report, page 6 of 12, paragraph 4]

\*\*\*

PAR

"... (P-3)'s injuries were photographed on 03/16/04 by Crime Scene Specialist Chavez. (Refer to her Supplemental Report.)
[Report, page 7 of 12, paragraph 5]

\*\*\*

". . (Refer to the Supplemental Report for the statements of (P-1) and his passengers and other witnesses )"
[Report, page 10 of 12, paragraph 5]

Please provide me with copies of all Supplemental Reports prepared in connection with this accident at your earliest opportunity.

Thank you for your immediate attention to this matter. If you have any questions or need additional information, please do not hesitate to contact my office.

Very truly yours,

GATES, O'DOHERTY, GONTER & GUY, LLP

DOUGLAS D. GUY

DDG:bj

STATE OF CALIFORNIA TRAFFIC COLLISION REPORT Page of la CHP 555 Page 1 (Rev. 8-97) OPI 042 LOCAL REPORT NUMBER JUDICIAL DISTRICT SPECIAL CONDITIONS SKSC X NATIONAL CITY REPORTING DISTRICT BEAT 0402679 HIT & RUN MISOEMEANOR COUNTY 24 SAN DIEGO NOIG: OFFICER I.D. TIME (2400) YEAR MO. COLLISION OCCURRED ON 401 1151 "F" 03 11 04 AVENUE LOCATION NONE PHOTOGRAPHS BY: TOW AWAY DAY OF WEEK MILEPORT INFORMATION S M T W ① F S X YES NO A. CHAVE Z 7934 OF STATE HWY REL I. ESTERLY \*7644 AT INTERSECTION WITH YES X NO E. 28TH STREET OR: FEET/MILES STATE LICENSE NUMBER MAKE/MODEL/COLOR VEH YEAR SAFETY EQUIP. DRIVER'S LICENSE NUMBER STATE PART CA 86 CA 1 NAME (FIRST, MIDDLE, LAST) DRIVER OWNER'S NAME SAME AS DRIVER RICHARD M ORTIZ. STREET ADDRESS WANER'S ADDRESS SAME AS DRIVER CITY/STATE/ZIP PARKED OFFICER DRIVER OTHER DISPOSITION OF VEHICLE ON ORDERS OF: 91950 NATIONAL CITY
R EYES HEIGHT WEIGHT EVIDENCE PER 22655,5 VC BIRTHDATE Day RACE HEIGHT IMPOUNDED SEX BICY. CLIST Μo. REFER TO NARRATIVE PRIOR MECHANICAL DEFECTS: NONE APPARENT 200 ・ほんん 10 VEHICLE IDENTIFICATION NUMBER: BUSINESS PHONE HOME PHONE OTHER SHADE IN DAMAGED AREA DESCRIBE VEHICLE DAMAGE CHP USE ONLY UNK. NONE MINOR POLICY NUMBER INSURANCE CARRIER MOD. 🔀 MAJOR ROLL-OVER SPEED LIMIT DIR OF TRAVEL ON STREET OR HIGHWAY CA 25 AVENUE CAL-T . TCP/PSC\_ LICENSE NUMBER MAKE/MODEL/COLOR STATE CLASS SAFETY EQUIP VEH. YEAR DRIVER'S LICENSE NUMBER CA PART 81 /GOUD CA 2 NAME (FIRST, MIDDLE, LAST) DRIVER SAME AS DRIVER OWNER'S NAME  $\square$ STREET ADDRESS PEGES OWNER'S ADDRESS SAME AS DRIVER PANKED VEHICLE CITY/STATE/ZIP DISPOSITION OF VEHICLE ON ORDERS OF: OFFICER X DRIVER OTHER 92139 cA DIEGO WAZ 84 SCENE FROM BIRTHDATE RACE DRIVEN HEIGHT WEIGHT BIGY-CLIST REFER TO NARRATIVE PRIOR MECHANICAL DEFECTS: NONE APPARENT 5111 195 m VEHICLE IDENTIFICATION NUMBER: BUBINESS PHONE HOME PHONE OTHER SHADE IN DAMAGED AREA DESCRIBE VEHICLE DAMAGE CHP USE ONLY VEHICLE TYPE UNK. NONE MINOR POLICY NUMBER INSURANCE CARRIER ROLL-OVER MAJOR MOD. MERCHAY INS. SPEED LIMIT DIR OF TRAVEL ON STREET OR HIGHWAY TCP/PSC E. 28TH CTREET STATE LICENSE NUMBER VEH. YEAR MAKE/MODEL/COLOR CLASS SAFETY ORIVER'S LICENSE NUMBER PARTY 3 NAME (FIRST, MIDDLE, LAST) DRIVER OWNER'S NAME SAME AS DRIVER STREET ADDRESS PEDES TIUAN OWNER'S ADDRESS SAME AS DRIVER CITY/STATE/ZIF OTHER DISPOSITION OF VEHICLE ON ORDERS OF: OFFICER DRIVER 91950 CA WEIGHT NATIONAL CITT BIRTHDATE RACE HEIGHT BICY-CLIST REFER TO NARRATIVE 41/1 PRIOR MECHANICAL DEFECTS: NONE APPARENT 130 VEHICLE IDENTIFICATION NUMBER: BUSINESS PHONE IOME PHONE DYHER DESCRIBE VEHICLE DAMAGE OHP USE ONLY VEHICLE TYPE UNK. NONE MINOR POLICY NUMBER INSURANCE CARRIER MAJOR ROLL-OVER MOD. SPEED LIMIT DIR OF TRAVEL ON STREET OR HIGHWAY E. 28TH STREET CAL-T 1 REVIEWER'S MAME DISPATCH NOTIFIED PREPARER'S NAME YES NO NA

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STATE OF CALIFORNIA INJURED / WITNESS / PASSENGERS CHP 555 Page 3 (Rev. 8-97) OPI 042 TIME (2400) 1/5 1 NUMBER OFFICER I.D. 0402679 DATE OF COLLISION (MO. DAY YEAR) NCIC# 401 INJURED WAS ("X" ONE) SEAT POS. SAPETY EQUIP. PARTY NUMBER EXTENT OF INJURY ("X" ONE) EJECTED PASSENGER WITNESS ONLY COMPLAINT OF PAIN BICYCLIST OTHER SEX OTHER VISIBLE PED. AGE DRIVER PASS. SEVERE FATAL NJURY INJURY 0 X X 22 TELEPHONE NAME / D. O. B. / ADDRESS RICHMAD CRTIZ (INJURED ONLY) TRANSPORTED BY: TAKEN TO: PARADISE VALLEY HOSPITAL NCPD (OFFICER HARRIS) UPPER LEFT SIDE OF HEAD. ABRASION SMALL VICTIM OF VIOLENT CRIME NOTIFIED X TELEPHONE NAME / D. O. B. / ADDRESS PARADISE VALLEY HOSPITAL (INJURED ONLY) TRANSPORTED BY AMR AMELIANCE #60 LATE LITTLE FINGER, COMPLAINTS OF PAINT DESCRIBE INJURIES AND LEGS ABRASIONS TO BOTH CUTS AND BACH. LEGS VICTIM OF VIOLENT CRIME NOTIFIED 7# TELEPHONE NAME / D. Q. B. / ADDRESS TAKEN TO: (INJURED ONLY) TRANSPORTED BY: DESCRIBE INJURIES VICTIM OF VIOLENT CRIME NOTIFIED 7# TELEPHONE NAME / D. O. B. / ADDRESS TAKEN TO: (INJURED ONLY) TRANSPORTED BY: DESCRIBE INJURIES VICTIM OF VIOLENT CRIME NOTIFIED 7# TELEPHONE NAME / D. O. B. / ADDRESS TAKEN TO: (INJURED ONLY) TRANSPORTED BY: DESCRIBE INJURIES VICTIM OF VIOLENT CRIME NOTHFIELD TELEPHONE NAME / D. O. B. / ADDRESS TAKEN TO: (INJURED ONLY) TRANSFORTED BY: DESCRIBE INJURIES VICTIM OF VIOLENT CRIME NOTIFIED MO. DAY YEAR REVIEWER'S NAME MO. DAY YEAR 1.D. NUMBER PREPARER'S NAME 401 031604 GEIDEL

FACTUAL DIAGRAM	ODI M2			,
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SWEETWATER HIGH SCHOOL PARKING LOT

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STATE OF CALIFORNIA
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CHP 655 Page 3 (Rev. 8-97) OPI 042 Page of TIME (2400) DATE OF COLLISION (MO. DAY YEAR) NCIC # OFFICER I.D. NUMBER EXTENT OF INJURY ("X" ONE) INJURED WAS ("X" ONE) WITNESS ONLY PASSENGER ONLY PARTY NUMBER SEAT POS. SAPETY SEX ЕЈЕСТЕЙ OTHER VISIBLE INJURY PATAL INJURY COMPLAINT OF PAIN BEVERE BICYCLIST OTHER DRIVER PASS. PED. INJURY # NAME / D. O. B. / ADDRESS TELEPHONE 150 300 TAKEN TO: (INJURED ONLY) TRANSPORTED BY: DESCRIBE INJURIES VIOTIM OF VIOLENT CRIME NOTIFIED NAME / D. O. B. / ADDRESS TELEPHONE (INJURED ONLY) TRANSPORTED BY: TAKEN TO: DESCRIBE INJURIES VICTIM OF VIOLENT CRIME NOTIFIED TELEPHONE NAME / D. O. B. / ADDRESS (INJURED ONLY) TRANSPORTED BY: TAKEN TO: DESCRIBE INJURIES VICTIM OF VIOLENT CRIME NOTIFIED TELEPHONE NAME / D, O. B, / ADDRESS TAKEN TO: (INJURED ONLY) TRANSPORTED BY: DESCRIBE INJURIES VICTIM OF VIOLENT CRIME NOTIFIED |# TELEPHONE NAME / D. O. B. / ADDRESS (INJURED ONLY) TRANSPORTED BY: TAKEN TO: DESCRIBE INJURIES VICTIM OF VIOLENT CRIME NOTIFIED #[ TELEPHONE NAME / D. O. B. / ADDRESS (INJURED ONLY) TRANSPORTED BY: TAKEN TO: DESCRIBE INJURIES

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FACTS:

## **NOTIFICATION:**

On 03/11/04, at about 1300 hours, Sergeant Bishop ordered me via radio to respond to the intersection of E.28<sup>th</sup> Street and "F" Avenue to investigate a minor injury, hit and run traffic collision that involved two cars and one pedestrian. One of the vehicles involved in the collision was a carjacked car fleeing from National City Police officers. The driver of the carjacked car, who had fled the scene, was arrested a short distance away about 45 minutes later. The collision occurred at about 1151 hours. All times, speeds, and measurements are approximate. Measurements were obtained using nylon and steel tape, and a roll-a-tape.

#### SCENE/INVESTIGATION:

The scene is a residential area. E.28<sup>th</sup> Street is a two lane roadway with one lane of travel eastbound and one westbound. It has no lane markers. Sweetwater High School is immediately to the south of E.28<sup>th</sup> Street. "F" Avenue is a two lane roadway with one lane of travel northbound and one southbound. It has no lane markers. The south end of "F" Avenue joins the west end of E.28<sup>th</sup> Street to form an "L" shaped intersection. The speed limit on both streets is 25 MPH. Sports fields for Sweetwater High School lie to the west of "F" Avenue. Single family houses are on the east side of "F" Avenue and the north side of E.28<sup>th</sup> Street. Both streets have raised concrete curbs and sidewalks on both sides.

There were no unusual traffic or roadway conditions present. The weather was mostly sunny and clear. Numerous parked vehicles on both sides of E.28<sup>th</sup> Street and "F" Avenue narrowed the roadway available for travelling.

When I arrived, (V-1) and (V-2) were at their points of uncontrolled rest in the intersection. (V-1) was facing southeast, with it's front end on the south sidewalk of E.28th Street (V-2) was facing northwest, with it's rear end on the south sidewalk of E.28th Street. The two vehicles were locked together. The left front end of (V-1) was locked into the left rear fender of (V-2). None of the parties were at the scene. (P-1) was in custody. (P-3) had been transported by AMR ambulance #60 to Paradise Valley Hospital for evaluation of injuries sustained as a result of the collision. (P-2) was not injured, but had accompanied detectives to one of (P-1)'s two passengers, NCPD to give a statement. had been transported by AMR ambulance #418 to UCSD Medical Center for treatment. He was not injured as a result of the collision, but had been shot earlier by officers. Maria Urzua, the second of (P-1)'s passengers, was not injured, but in the ambulance. NCFD Engine #34 had also been on had accompanied scene and departed prior to my arrival, having assisted paramedics with injury evaluation.

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There was debris from both vehicles in the roadway and on the south sidewalk of E.28<sup>th</sup> Street. (P-3)'s shoes were also on the north sidewalk of E.28<sup>th</sup> Street. The shoes and outer clothing of one of (P-1)'s passengers, were on the north sidewalk of E.28<sup>th</sup> Street, having been removed from him by paramedics.

Pre-collision centrifugal speed tire scuff marks from (V-1) were present on "F" Avenue and in the intersection. Abrupt deviation of the scuff marks marked the area of impact. Post-collision tire scuff marks from (V-1) were also present. A large amount of "BB" sized pieces of rubber from (V-1)'s right rear tire were present in the roadway near (V-1)'s right rear tire and also on the right rear fender of (V-1).

Detective Sergeant Triviz, Detective Meeks, Officer Dougherty, Officer Lechnir, Officer Ybarra and Crime Scene Specialist Chavez were on scene when I arrived. Detective Meeks briefed me. Crime Scene Specialist Chavez photographed the scene, both overall and in detail. (Refer to her Supplemental Report.)

Police Services Officer Sarmiento arrived on scene and assisted me with taking measurements, as did Officer Lechnir. Crime Scene Specialist Easterly arrived on scene and collected various items for evidence, including (P-3)'s shoes, shoes and clothing, and a possible bullet fragment in the roadway. She photographed these items prior to collecting them. (Refer to her Supplemental Report.)

Using a station line and steel and nylon tape measures, I measured the intersection, the uncontrolled points of rest of (V-1) and (V-2), the Areas of Impact, (V-1) into (V-2), and (V-2) into (P-3), and the pre and post collision tire scuff marks from (V-1). I measured the locations of (P-3)'s shoes, shoes shoes and clothing, and a possible bullet fragment in the roadway. Although it was not involved in the collision, at the request of detectives I also measured the location of NCPD police car #437 at it's point of controlled rest. All of the above measurements were obtained using a nylon and steel tape measures and the station line method.

#### PARTIES:

The driver of (V-1) was Richard Ortiz. (P-1) had fled the scene and was arrested a short distance away about 45 minutes later. He was identified to me by Detective Grande. A record check showed (P-1) is unlicensed, with a California Identification Card, # (P-1) sustained a minor abrasion to the left upper side of his head and complained of nausea as a result of the collision. He was later transported in a National City police car by Officer Harris to Paradise Valley Hospital for evaluation.

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DATE OF INCIDENT 03/11/04	TIME 1151	NCIC NUMBER	OFFICER I.D. 401	NUMBER 0402679
		4 door blace	in color, bearing	
(V-1) is a 1		istered to	m color, bearing	(V-1) had
4 -		carjacking earlier in	the day. It quatair	` /
	end. (V-1) wa	s equipped with a d		
		vas completed, Moyevidence impound).	nahan Towing tow	ed (V-1) from the
detectives a		record check show.  He was not injure.		valid California
wheels, cus It is register	tomized hydr red to (P-2). I vestigation w	(V-2) aulic system, and a t sustained moderate ras completed (P-2)	large number of ba e damage to it's le	tteries in the trunk. ft rear fender.
north sidew into (V-2) o her left kne pain to both Paradise Va	enger in (V-2 falk of E.28 <sup>th</sup> drove (V-2) in e, left elbow, a legs and her alley Hospital	he identified herself) but had exited (V-Street when the collito (P-3). (P-3) sustaboth legs and left liback. She was transfor evaluation. (P-3) Specialist Chavez.	<ol> <li>and was standin ision occurred. The ined cuts, abrasion ttle finger. She also sported by AMR ar b)'s injuries were p</li> </ol>	g near it on the e impact of (V-1) as and bruises to b complained of bruises to bruises

### PHYSICAL EVIDENCE:

The vehicles at their points of uncontrolled rest. Debris in the roadway and on the north sidewalk of E.28th Street. Pre and post-collision tire scuff marks from (V-1). (P-3)'s shoes.

I used a station line to measure the scene. The 0.00 point for the station line was positioned on "F" Avenue, 103'0" southeast of utility pole #C2704, and 55'0" east northeast of utility pole #P831425. Both utility poles are located just west of the west sidewalk of "F" Avenue. The Station Line ran north/south, parallel to the curb lines of "F" Avenue.

#### **EVIDENCE LEGEND:**

Description	X coordinate (on	Y coordinate (east or
-	the Station Line)	west of Station Line)

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	INCIDENT TIME 4 1151	NCIC NUMBER	OFFICER I.D. 401	NUMBER 0402679
03/11/0		0.00	+ 12.0' east	0402077
	East curb line "F" Ave	0.00 + 20.0° south		<del></del> .
ĺ	East curb line "F" Ave		+ 12.0' east	
	East curb line "F" Ave West curb line "F" Ave	0.00 + 31.5' south 0.00	- 36.0' west	
	.,		- 36.0' west	
	West curb line "F" Ave West curb line "F" Ave	0.00 + 20.0' south $0.00 + 33.5$ ' south	- 36.0' west	•
İ		0.00 + 54.0' south	- 36.0' west	
}	West curb line "F" Ave		- 36.0' west	
ŀ	West curb line "F" Ave North curb line E.28 <sup>th</sup> St	0.00 + 80.0' south $0.00 + 56.0$ ' south	- 30.0 West	
		0.00 7 36.0 80444		
ŀ	(extended) South curb line E.28 <sup>th</sup> St	0.00 + 87.7' south		<u></u> .
}	East edge of west	0.00 + 87.7 south	- 12.0' west	
	driveway to SUHI	0.00 + 87.7 SOUUI	12.0 West	ļ
ł	West edge of west	0.00 + 87.7° south	- 36.0' west	
	driveway to SUHI	0.00 ± 67.7 South	- 50.0 44681	
ļ	East edge of east	0.00 + 87.7' south	+23.5' east	
	driveway to SUHI	0.00 + 67.7 SOULL	1 25,5 0451	
ŀ	West edge of east	0.00 + 87.7' south	- 7.1' west	
- 1	driveway to SUHI	0,00 · 07.5 BOWAL	7.1 7.000	,
ţ	AOI #1 (V-1) into (V-2)	0.00 + 71.0' south	+ 6.0' east	
ļ	AOI #2 (V-2) into (P-3)	0.00 + 87.0' south		
Ì	(V-1) left rear tire	0.00 + 81.5' south	+ 13.5' east	
ŀ	(V-1) left front tire	0.00 + 88.2' south	+ 19.1' east	
ţ	(V-1) right rear tire	0.00 + 85.0' south	+ 9.5' east	
Ì	(V-1) right front tire	0.00 + 91.5' south	+ 15.9' east	•
Ī	(V-2) left rear tire	0.00 + 88.2' south	+ 19.6' east	
[	(V-2) left front tire	0.00 + 79.0° south	+ 15.8' east	
ľ	(V-2) right rear tire	0.00 + 85.0' south	+ 25,2' east	
]	(V-2) right front tire	0.00 + 77.0' south	+ 21'4' east	
Ī	NCPD police car #437	$0.00 \pm 55.0$ ' south	- 11.0' west	
	left rear tire			
	NCPD police car #437	0.00 + 64.0' south	- 8.5' west	
	left front tire			
	(P-3)'s left shoe	$0.00 \pm 87.3$ ° south	+ 5.2' east	
	(P-3)'s right shoe	0.00 + 99.4' south	+ 23.5' east	
	left sneaker	0.00 + 96.5' south	+ 1.0' east	
L	right sneaker	0.00 + 97.5' south	+ 1.0' east	
[	clothing pile	0.00 + 95.0' south	- 5.0' west	
	Possible bullet fragment	0.00 + 78.3' south	+ 7.0' east	
	(V-1)'s pre-collision left	0.00 + 13.0' south	- 6.2' west	
L	front tire scuff – start	,		
	(V-1)'s pre-collision left	0.00 + 25.0' south	- 4.7' west	
L	front tire scuff – mid pt		<u> </u>	

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	re-collision left scuff – mid pt	0.00 + 40.0° south	- 1.8' west	
	re-collision left scuff – mid pt	0.00 + 60.0' south	+ 5.0' east	
1, , +	re-collision left scuff – end pt	0.00 + 69.3° south	+ 8.5' east	
	re-collision rgt scuff – start	0.00 + 19.4' south	- 10.7' west	
)	re-collision rgt scuff – mid pt	0.00 + 40.0' south	- 6.0' west	
	re-collision rgt scuff – mid pt	0.00 + 60.0' south	0.0' east/west	
	re-collision rgt scuff – end pt	0.00 + 69.7' south	+ 3.8' east	

#### OTHER MEASUREMENTS:

Width of E.28th Street: 32.0' (tape measure)

- (V-1) pre-collision right front tire scuff; 52.8' (roll-a-tape)
- (V-1) pre-collision left front tire scuff: 58.4' (roll-a-tape)
- (V-1) post-collision right front tire scuff: 25.0' (tape measure)
- (V-1) post-collision left front tire scuff; 21.2' (tape measure)
- (V-1) pre-collision right front tire scuff chord: 52.5' (tape measure)
- (V-1) pre-collision right front tire scuff mid ordinate: 1.33' (tape measure)

#### FACTUAL DIAGRAM LEGEND:

- (A) (P-3)'s left shoe/AOI #2
- (B) (P-3)'s right shoe
- (C) Start of (V-1)'s left front tire centrifugal speed scuff
- (D) Start of (V-1)'s right front tire centrifugal speed scuff
- (E) AOI #1

#### **STATEMENTS:**

## Statement of (P-2):

(P-2) drove southbound on "F" Avenue, then turned eastbound and stopped in the intersection of "F" Avenue and E.28<sup>th</sup> Street to drop off (P-3) at school. (P-3) got out of (V-2) and closed the door. The passenger side seat belt did not retract into its holder, so (P-2) took a minute to fix it. Just after he fixed it and sat upright in the driver's seat he was struck by (V-1). He may have been stopped or if moving, he was only moving at 1-2 MPH. He did not see or hear (V-1) until the collision occurred.

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After the collision he was unable to exit his car on the driver's side because (V-1) was stopped to close to the door. He exited through the passenger side door. After he got out of his car he saw that (P-3) was laying on the south sidewalk of E.28<sup>th</sup> Street. Her clothing was torn and she was trembling. He realized that she must have also been involved in the collision somehow, although he did not see her get struck.

#### Statement of (P-3):

(P-3) was a passenger in (V-2). (V-2) stopped in the intersection of "F" Avenue and E.28<sup>th</sup> Street to drop her off for school. She got out of the car and walked to the south sidewalk of E.28<sup>th</sup> Street. As she got out she saw a blue car (V-1) far down "F" Avenue, near Olivewood School. She didn't pay any attention to it because it was far away.

The passenger side seat belt got stuck in the door of (V-2) and (P-2) was trying to get it out. (P-3) waited for him to fix it, then said goodbye. She was standing facing eastbound. She heard the squeal of tires and turned to see (V-1) collide with (V-2). (V-2) was knocked into her. The right rear side of (V-2) hit (P-3)'s left side, either at her hip or upper thigh. She was knocked to the sidewalk.

(P-3) never saw (P-1) and cannot identify him. She is not even able to say if (P-1) was a male or female.

(Refer to the Supplemental Reports for the statements of (P-1) and his passengers and other witnesses.)

#### **OPINIONS AND CONCLUSION:**

#### **SUMMARY:**

My conclusion is based upon the physical evidence and the statements of (P-2) and (P-3).

(P-1) was driving (V-1), which he had carjacked. (P-2) was driving (V-2), with (P-3) as a passenger. (V-2) stopped in the intersection of E.28<sup>th</sup> Street and "F" Avenue to drop off (P-3). (V-2) was facing eastbound, in the intersection. (P-3) stepped out of (V-2) and moved a few feet to the south, thus becoming a pedestrian and a separate party.

(V-1) was travelling southbound on "F" Avenue at a high speed, fleeing from the police, who were pursing (V-1) with lights and sirens activated. (V-1) attempted to turn from southbound "F" Avenue to eastbound E.28<sup>th</sup> Street, but its speed was too great and (V-1) continued southbound into the intersection.

The front end of (V-1) collided with the left rear fender of (V-2) at about a 90 degree angle. The impact pushed (V-2) to the south and spun the rear end of (V-2)

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counterclockwise. The right rear fender of (V-2) collided with (P-3), who was standing or walking on the south curb line of E.28<sup>th</sup> Street. The impact knocked (P-3) out of her shoes and to the ground.

The collision between (V-1) and (V-2) caused (V-1)'s driver's side airbag to deploy. (P-1) was apparently not wearing a seat belt, because despite the airbag deployment (P-1) broke (V-1)'s windshield above and to the left of the airbag with his head.

The collision between the vehicles caused them to be locked together in a wide "V" shape, with the front end of (V-1) locked into the right rear fender of (V-2). After the vehicles had come to their uncontrolled points of rest, (V-1)'s drive wheel (the right rear wheel) continued to turn for a period of time at high speed, causing large amounts of the right rear tire to shred into small pieces. I was unable to determine whether this occurred as a result of the collision or was a deliberate action (an attempt to continue fleeing in V-1) by (P-1).

After the collision, (V-1)'s two passengers remained in the car. (P-1) fled the scene on foot, in violation of 20001(a) VC. He was arrested by the police a short distance away about 45 minutes later.

#### AREAS OF IMPACT:

I determined the Areas of Impact based upon (V-1)'s pre and post-collision tire scuff marks, the vehicles at their points of uncontrolled rest, (P-3)'s shoes, and the statements of (P-2) and (P-3).

The AOI's were measured using the Station Line method. AOI #1, (V-1) into (V-2), measured 0.00 + 71.0' south, +6.0' east. AOI #2, (V-2) into (P-3), measured 0.00 + 87.0' south, +5.0' east.

#### CAUSE:

The primary collision factor was (P-1)'s violation of section 22350 VC (unsafe speed). I was unable to determine (V-1)'s exact speed at the time of collision. The presence of 52'8" of pre-collision centrifugal speed scuff marks indicate a minimum speed of about 52 MPH using standard formulas. The large amount of crush damage on (V-1)'s front end and 25 feet of post-collision tire scuff marks from (V-1) indicate that (V-1)'s actual speed was higher.

An associated factor was (P-2)'s violation of 22400(a) VC (minimum speed). (V-2) was either stopped in the roadway or moving only a few miles per hour after having dropped off (P-3). It is clear from (V-1)'s pre-collision centrifugal speed scuff that (V-1) would not have been able to make the 90 degree turn from "F"

					The second secon
PREPARER'S NAME	I.D. NUMBER	DATE	<b>REVIEWER' NAME</b>	•	DATE
Geidel	401	04/16/04			•

## NARRATIVE/SUPPLEMENTAL

PAGE / 2 of /2

 DATE OF INCIDENT
 TIME
 NCIC NUMBER
 OFFICER I.D.
 NUMBER

 03/11/04
 1151
 401
 0402679

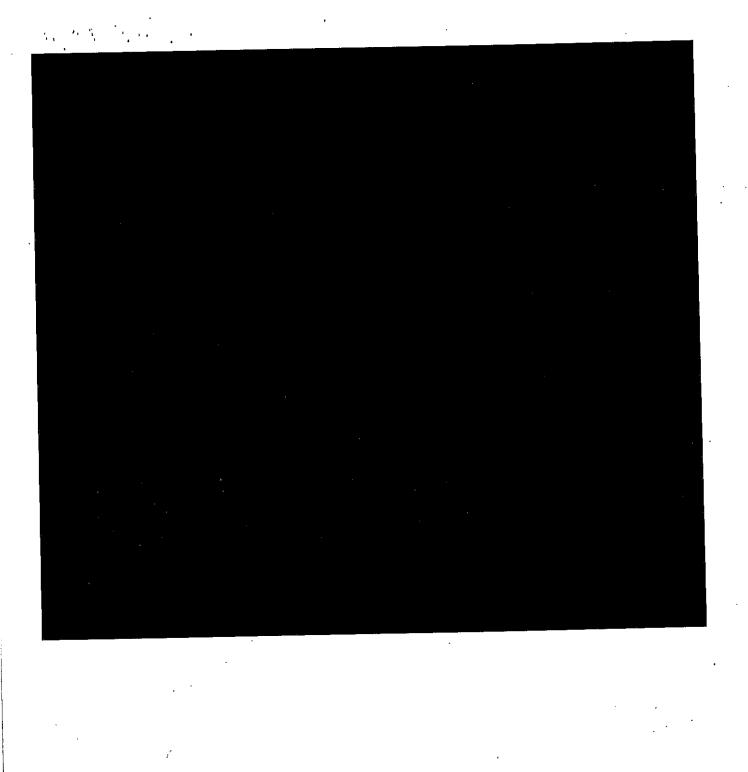
Avenue to E.28<sup>th</sup> Street. If (V-2) had not been present (V-1) would have continued southbound off the roadway and into the parking lot fence.

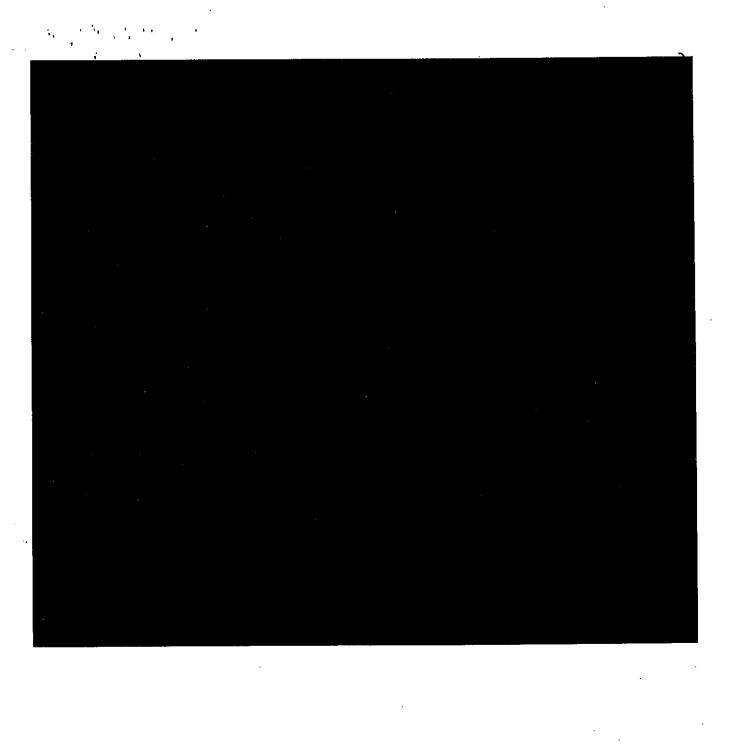
## FOLLOW UP:

To be determined by Investigations Division.

## RECOMMENDATIONS:

None.

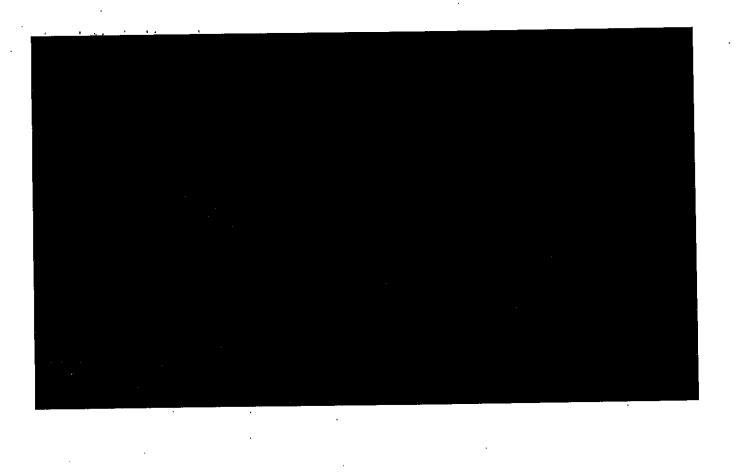


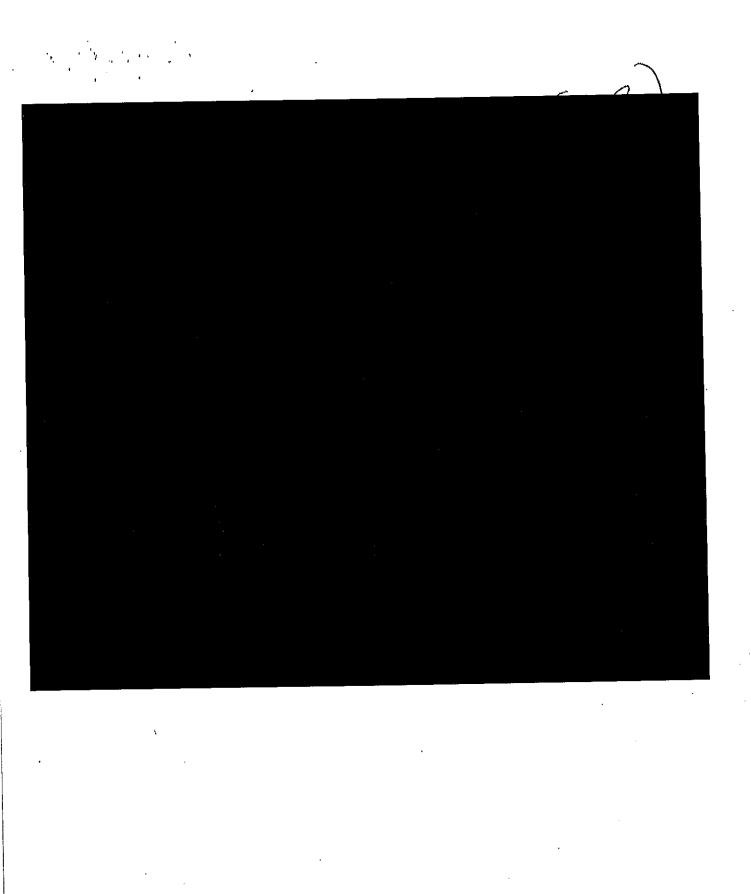


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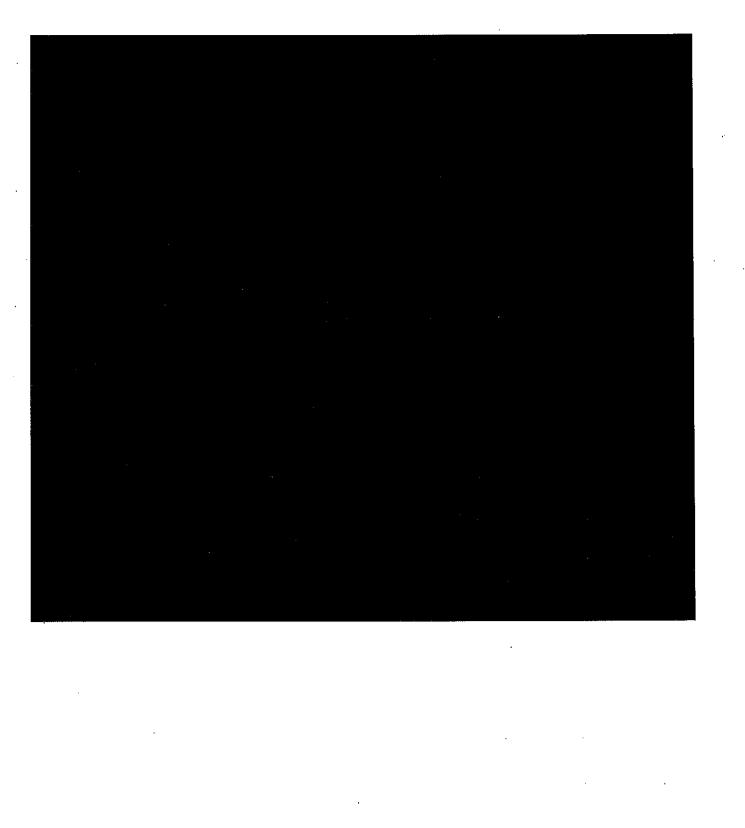
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### NATIONAL CITY POLICE DEPARTMENT TRAFFIC DIVISION SERIOUS TRAFFIC OFFENDER PROGRAM

### VEHICLE IMPOUND SUPPLEMENTAL REPORT

CASE NUMBER		CITAT	rion n	Ю	· · · · · · · · · · · · · · · · · · ·
VEHICLE INFO	RMATION:				
YEAR:	MAKE:	· · · · · · · · · · · · · · · · · · ·	MC	DEL:	·
LICENSE:		STAT	E:		
•					·
DRIVERS INFO	RMATION:				٠.
NAME:		<b>D</b> A	ATE O	FBIRTH:	W
D.L. NO.	,	_ STATE	;	SEX:	RACE:
CHARGE:	12500(a) CVC	14601 C	VC'	23152/2	23153 CVC
14601 CVC SUSF	PENSION DATE:	. A	UTHO	RITY CO	DE:
PRIOR SUSPEN	SIONS:			·	,
PRIOR CONVIC	TIONS:				
OTHER RELAT	ED INFORMATION	:			
RECOVERED ST	FOLEN VEHICLE:	YES	NO	VALUI	E S
CONFISCATED	WEAPONS:	YES	NO _	TYPE	
NARCOTICS AF	RRESTS:	YES	_NO_	TYPE	-
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CRIMINAL FEL	ONY ARRESTS (CE	IARGES):			,
FELONY WARR	RANT ARRESTS (CE	IARGES):		1 - Mileson - Walter - U.S.	
OFFICER NAMI		·		_ ID:	- Ithia

(1.750L.35.2(51)) 10652 50L'557

52.525 LZ

#### Check-Out Release Form Activity Number: 0402679/B

**National City Police** 1200 National City Blvd National City, CA 91950

SAN DIEGO POLICE	
Released By: 4654 Flores, April Relased To: E- Deputy Johnson, Keith SDPD D	Date: 07/21/2005 Time: 10:13 am
Item ID Description Evidence IDs  10020030 (4)SAMPLE/(1)CONTROL RED STAIN - NOT VIEW  10020032 (1)SAMPLE(4)GONTROL RED STAIN - NOT VIEW  10020241 swab w/ red stain, & control swab NOT VIEW  10020034 SHIRT  10020035 JACKET  10020035 PANTS  6 total items released	Quantity UOM 1 EA 1 EA 2 EA 1 EA 1 EA 1 EA

DA MIKE HOWARD

Deputy Johnson, Keith

07/21/2005 10:16 am Printed By: aflores

Forensic Specialist Jeniffer Sandors \$393 to take sample of stains from clothing

Page 1 Report #STDEC002

#### **Check-Out Release Form** Activity Number: 0402679/B

**NCPD** 1200 National City Blvd National City, CA 91950

The second secon	Destination			
One hour ph	oto stop			
	ed By: 4654 FLORES, APRIL ed To: E-428	anner . Managarana Africanasa	AND THE STREET OF THE STREET S	Date: 05/14/2007 Time: 02:11 pm
Item ID 10020174 10020186 10020997 10020199	Description 35 MM FILM - crime scene 35MM FILM - Off miller,uniform,veh FILM - recon of crime scene 35MM FILM - Off	Tag No.	Evidence IDs	Quantity UOM 3 EA 4 EA 1 EA 4 EA
10020250	harward,uniforn,unit 35MM FILM - of veh			3 EA

5 total items released

copies lea per soi

05/14/2007 02:12 pm Printed By: aflores

Jend to One how Page 1

OS/14/07 AF#4659 Report #STDECO02

## Check-Out Release Form Activity Number: 0402679/B

National City Police 1200 National City Blvd National City, CA 91950

Destination

#### PROPERTY & EVIDENCE PERSONNEL

Released By: 1362	Cabrales, Isela	Date: 10/12/2005
Relased To: 1362	Cabrales, isela	Time: 08:22 am

Item ID	Description	Evidence IDs	Quantity	UOM
10019844	DIGITAL CAMERA DISC		1	EΑ
10020997	FILM recon-of crime scene		1	EA
10019854	DIGITAL CAMERA DISC		1	EA
10020174	crime scene		6	EA
10020186	miller,uniform,veh		8	EA
10020199	of harward uniforn, unit		8	EA
10020250	of veh		3	EΑ

7 total items released

Cabrales, Isela

Page 1 Report #STDEC002

10/12/2005 10:48 am Printed By: icabrales



Phone # (619) 631-4219 Cell # (619) 981-2294 After Hours # (619) 234-4148 Fax # (619) 531-3318

ROBERT MARQUEZ SUPERVISING INVESTIGATOR COLD CASE HOMICIDE

BONNIE M. DUMANIS District Alterney County of San Diego 330 W. Broadway Sulte 1060 San Diego, CA 92101

REQUEST FOR RECORDS SEARCH 0400679
ARREST FILE VICTIM FILE ACCIDENT
OTHER (Explain)
FILE NUMBER(S) # 0402 679 (E.G., ARREST/BKG #, CRIME CASE #, ETC.)
SUBJECT'S NAME URZURA WARLA MIDDLE "
SEX F RACE D.O.B. HGT. WGT.
REQUESTOR'S NAME Robert Margres 1.D. # #27
AGENCY Sun Dago District Albring; office - Cold Case Christice
ADDRESS 330 W- Boadway CITY Jun Day
REASON FOR REQUEST Investigation DATE 7/7/05
THIS RECORD HAS BEEN RECORDED AS BEING RELEASED PURSUANT TO CALIFORNIA PENAL CODE SECTIONS 11075 THROUGH 11081. SUBSEQUENT DISTRIBUTION OF INFORMATION CONTAINED IS RESTRICTED BY SECTION 11140-11144 OF CALIFORNIA PENAL CODE.
COPY PROVIDED GOPY MAILED REVIEWED PHONE INQUIRY

•	CF	RIME LAB WO	ORK REQUEST	Charlesh as	
DATE: 3	13/05	PERSON R	EQUESTING:_	Mari	
CASE # 04	02679	TAG #I	001985	1560000	28
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NATIONAL CITY POLICE DEPARTMENT 1200 NATIONAL CITY BLVD. NATIONAL CITY CA 91950

CLAIM NO:

DATE/REQUEST:

10/18/2004

ADJUSTER: 0967

DR. NO:

DRIVER(S)

LICENSE PLATE(S)

DRIVER LIC #(S)

RICHARD ORTIZ

LOSS DATE & TIME: 03/11/2004 11:30 AM

LOSS LOCATION: 28TH ST, SWEETWATER HIGHSCHOOL

NATIONAL CITY CA

Please forward one copy of the above report of loss. 20.00 Enclosed is our draft in the amount of \$

Thank you,

JENNY JOVERO (858) 694-4185 Ext 4285

Claims Department

We have the report

Claims Department

C.39 Rev. 3/86

C.39 Rev. 3/86

View Photo

The photographs, Please

View Photo

Let us know what is the

difference still owed.

NE photo # 1-9,11,25,30,31,33,34,35,36

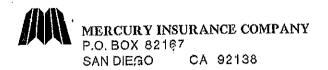
Denny Joveno

Only Rel +8 Insurance 121304

AF 1920

(858) 694-418

AXT. 4285



MECEIVEN WET 21 2004

NATIONAL CITY POLICE DEPARTMENT 1200 NATIONAL CITY BLVD. NATIONAL CITY CA 91950

CLAIM NO:

DATE/REQUEST:

10/18/2004

ADJUSTER: 0967

DR, NO:

DRIVER(S)

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LOSS DATE & TIME: 03/11/2004 11:30 AM

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NATIONAL CITY CA

Please forward one copy of the above report of loss. 20.00 Enclosed is our draft in the amount of \$

Thank you.

JENNY JOVERO (858) 694-4185 Ext 4285

Claims Department

C-39 Rev. 3/86

We have the report all we ruled now the photographs, Please let us know what is the difference still owed. Jenny Jovero (858) 694-418 ext. 4285

	CRIME LAB WORK REQUEST
DATE: 3/13/05	PERSON REQUESTING:
CASE #	TAG # I 00 19854 / 160 200 38
ITEMS SUBMITTED:	700 1984 17-00 1989
WORK REQUESTED:	
D.C.	LAB PERSONNEL ONLY
PES	PROCESSING DATE:

Beklings, and scripting

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FIBTOS

on scene and collected various items for evidence, including (P-3)'s shoes, shoes and clothing, and a possible bullet fragment in the roadway. She photographed these items prior to collecting them. (Refer to her Supplemental Report.)"

[Report, page 6 of 12, paragraph 4]

\*\*\*

AA

". . (P-3)'s injuries were photographed on 03/16/04 by Crime Scene Specialist Chavez. (Refer to her Supplemental Report.)
[Report, page 7 of 12, paragraph 5]

\*\*\*

". . . (Refer to the Supplemental Report for the statements of (P-1) and his passengers and other witnesses )"
[Report, page 10 of 12, paragraph 5]

Please provide me with copies of all Supplemental Reports prepared in connection with this accident at your earliest opportunity.

Thank you for your immediate attention to this matter. If you have any questions or need additional information, please do not hesitate to contact my office.

Very truly yours,

GATES, O'DOHERTY, GONTER & GUY, LLP

DOUGLAS D. GUY

DDG:bj

#### Law Offices

### GATES, O'DOHERTY, GONTER & GUY, LLP

Peter J. Gates F. X. Sean O'Doherty K. Robert Gonter, Jr. † Douglas D. Guy Thomas A. Scutti Matthew M. Proudfoot Richard A. Muench Marian Walker-Guy Kevin M. Rava Oina Y. Kandarian-Stein David E. Wilkinson Victor A. Raphael Alan P. Trafton\* Vincent J. Axelson Zuriel A. Cervantes Jeffrey L. Le Pere Victor L. Block

Jennifer C. Lyons Goldy M. Berger Michael H. Shen 11545 West Bernardo Court, Suite 305 San Diego, CA 92127 Phone (858) 676-8600 Fax (858) 676-8601 Los Angeles Office 700 S. Flower Street, Suite 1100 Los Angeles, CA 90017 Phone (213) 892-6332 Fax (213) 892-2247

Irvine Office 15635 Alton Parkway, Suite 260 Irvine, CA 92618 Phone (949) 753-0255 Fax (949) 753-0265

February 10, 2005

Inland Empire Office 10601 Civic Center Drive, Suite 120 Rancho Cucamonga, CA 91730 Phone (909) 477-3282 Fax (909) 477-3272

OF COUNSEL: Jonathan Coru

www.gogglaw.com

† Also licensed in Washington \* Also licensed in Nevada

> National City Police Department 1200 National City Blvd. National City, CA 91950

> > Re: v. MERCURY INSURANCE COMPANY

Traffic Collision Report Number
Our File No.

Dear Sir or Madam:

This firm represents Mercury Insurance Company in a claim for uninsured motorist benefits being made by its insured, was injured in an accident on March 11, 2004, on 28th Street next to Sweetwater High School in National City, when his vehicle was struck by a stolen vehicle operated by Richard Ortiz who was fleeing from National City Police officers.

Following the accident and subsequent investigation, Officer Geidel (ID #401) prepared Traffic Collision Report Number in which he refers to several "Supplemental Reports" as follows:

co LEB TA COA

B Y. ....

1 Alors

R	ARREST REPORT	S. ARREST /	AN DIEGO R JUVENILE	REGIONAL CONTACT I	REPORT		AGENCY NUMBER 0402679
E	WARRANI None	AGENCY NCPD		ARJIS ASSISTED?	Y	1 OF 4	SDSD BOOKING NUMBER  O4/1/477A  CITATION NUMBER
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,	187*664 / PC / ATTEMPTED N PERSON ARRESTED (L. F. M) ORTIZ, RICHARD NICKHAME JOKER		· · · · · · · · · · · · · · · · · · ·	D.O.B. P.O. 10/12/1981	The second secon	i y i	EYES
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P T l O N	SUBFECT YEAR SUBFECT YEAR VEHICLE 1986 ADDITIONAL VEHICLE IDENTIFIERS MAJOR FRONT END DAMA	MODEL 6 (CHROME DAMAGE, EFC.) IGE	COLOR/COLOR BLUE / BLUE VIN N	цийен	BODY TYPE 4 DOOR	DISPOSITION NCPD	CENSE NO STATE CA OF VEHICLE
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## SAN DIEGO REGIONAL ADDITIONAL VICTIMS AND/OR WITNESSES

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Continued From San Diego Re ARRAUV. CON. Officer's Re Narrativ	port	Page 4 of 4	Case Number 0402679
Code Section And Description (one incident only) 187'664 / PC / ATTEMPTED MURDER/DEGREE UNSPEC Location Of Incident (Or Address) 620 E 24TH ST	Date   03/11/2004   Gily	Day of Week THU	12:24 District Beat
Person(s) Involved: Victim HARWARD, D Suspect (if Named) ORTIZ, RICHARD Property Tag No.(s)			

Refer to Crime Report for Narrative

Reporting Officer ID # 344	i i i i i i i i i i i i i i i i i i i	Approved By D. J. Grande	Date of Report 03/11/2004 Continu	Time 21:17 ed N
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### San Diego Sheriff's Crime Lab Crime Scene Report



NCPO CASETT

Case #:

04001391

Event#: 2

Crime: OIS

Event Date: 03/30/2004

Time Notified: 6:00 AM

By whom: DET. K. GELSKEY

Event Address: NATIONAL CITY POLICE DEPT. 1200 NATIONAL CITY BLVD.

General Location: NATIONAL CITY

Time Arrived: 8:00 AM

Time Of Departure: 11:00 AM

Name/Title: L. MARTINI / CRIMINALIST

Detective: D. GRANDE

Detail: DETECTIVES

Team:

Agency: NATIONAL CITY POLICE DEPT.

Victim: HOWARD, D. & MILLER, C. (NCPD POLICE OFFICERS)

Suspect: URZUA, MARIA &

& ORTIZ, RICHARD

Service Requested: FIELD CALL - VEHICLE TRAJECTORY DETERMINATION

Narrative:

By prior arrangement with Det. K. Gelskey of the National City Police Dept., a scheduled vehicle exam was planned for 0800 hours on Tuesday, 3/30/04 at the National City Police Dept. vehicle impound area.

FET M. Durina and I arrived at the National City Police Dept. at approximately 0800 hours and met with Det. K. Gelskey. We proceeded to the vehicle impound area as the vehicle was being moved out of the impound enclosure for examination purposes. The subject vehicle was a 1986 2.3 with CA license plate

I documented the present impacts and trajectories. I completed my assignment at approximately 1100 hours and returned to the SDSD Crime Laboratory.

Detailed notes of the examination are maintained at the Sheriff's Crime Laboratory and are available upon request.

Report Date: 04/01/2004

Moretay 4/1/04 Reviewed By Charles H. Merrettin

#### SAN DIEGO REGIONAL ADDITIONAL VICTIMS AND/OR WITNESSES AND OTHER PEOPLE ASSOCIATED WITH THE CRIME PAGE

CASE NUMBER 0402679

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# SAN DIEGO REGIONAL ADDITIONAL VICTIMS AND/OR WITNESSES AND OTHER PEOPLE ASSOCIATED WITH THE CRIME PAGE

CASE NUMBER 0402679

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## SAN DIEGO REGIONAL

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## SAN DIEGO REGIONAL ADDITIONAL VICTIMS AND/OR WITNESSES CASE NUMBER CASE NUMBER

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### SAN DIEGO REGIONAL ADDITIONAL VICTIMS AND/OR WITNESSES AND OTHER PEOPLE ASSOCIATED WITH THE CRIME | PAGE

CASE NUMBER 0402679

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## SAN DIEGO REGIONAL ADDITIONAL VICTIMS AND/OR WITNESSES OTHER PEOPLE ASSOCIATED WITH THE CRIME

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# SAN DIEGO REGIONAL ADDITIONAL VICTIMS AND/OR WITNESSES AND OTHER DECDLE ASSOCIATED WITH THE CRIME PAGE CASE MUMBER

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Ochtinued From. CRIME	San Diego Officer's Narra	Report	Page 3 of 3	Case Nu 0402679	
Code Section And Description (on PC / 187'664 / ATTEMPTED MUF Location Of Incident (Or Address) 620 E 24TH STREET	e incident only) DER/DEGREE UNSPECIFIED	Date 03/11/2004	Day of Week THU City NATIONAL CITY	Time 11:50 District	8eat 240
Person(s) Involved: Victim Suspect (if Named) ORTIZ, RICHARD Property Tag No.(s) 10019844-10019846, 100200					*

The 35mm rolls of color film, GSR kit and Sony CD-R disc were all impounded into NCPD's Property and Evidence Locker.

### **EVIDENCE:**

PROPERTY TAG #:	DESCRIPTION:
10019844 10019845 10019846 10020039	one (1) Sony CD-R compact disc two (2) rolls of 35mm Kodak color film, 24-exp. and 36 exp. one (1) gunshot residue (GSR) evidence kit Envelope received from blood nurse containing hair samples- dry and wet secretions- saliva Envelope received from blood nurse containing blood
10020040	Envelope received from place manual and a

## REPORT COMPLETED 031204/ 1430 HRS

Reporting Officer CHAVEZ	1D# 7934	Division PATROL ORIGINAL	Approved By R. A. Rounds	Date of Report 03/22/2004 Confinu	Time 16:25
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Continued From: CRIME	San Diego Officer's	Report		Page 2 of <sup>3</sup>	Case Nu 0402679	
Code Section And Description (c	Narra	Date 03/11/2004		Day of Week	Time 11:50	
Code Section And Description of PC / 187*664 / ATTEMPTED MUL. Location Of Incident (Or Address 620 E 24TH STREET	RUEROCONEC ONOFCONICO	[ 03/11/2004	City NATIONAL CITY			Beat 240
Person(s) involved: Victim Suspect (If Named) ORTIZ, RICHARD Programme Tag No.(s)						,

wall of the residence. Overall photos and close-ups of the area where the suspect was found were taken. There is a row of shrubs on the property of 631 E. 28th Street that separates the residence to the east (621 E. 28th Street) and there are also some shrubs in front of the house that partially covers the area where the suspect was found hiding. Photos and measurements were taken (Refer to diagram for further details). The suspect was round many. I notes and measurements were taken the distance from the traffic collision to 631 E. 28<sup>th</sup> Street. The distance from the traffic collision to 631 E. 28th Street is approximately 176' and the distance from the sidewalk in front of the residence to the area where the suspect was hiding is approximately 58'.

After Detective Meeks and I completed our measurements, we traveled to UCSD Medical Center to check on the status of one of the suspects (passenger in vehicle) who had been injured in the incident. We met with Officer D. Kerr in the police waiting room of the hospital. There was a female subject, later identified as Maria Urzua, in a secured room. Detective Meeks spoke with Urzua for a few minutes and then he and I went of inquire on the status of the male suspect. Detective Meeks was informed that the subject was undergoing exploratory surgery and would be in surgery for a while. Detective Meeks and I returned to the police waiting room. Urzua was asked to accompany us back to the police station and she agreed. Detective Meeks, Officer Kerr, Urzua, and I traveled back to the station.

At approximately 1730 hours, Detective Meeks requested I photograph the suspect in custody (Richard Ortiz). Ortiz was in the temporary holding cell of the police station and was wearing a white paper suit. Officer M. Gonzalez stated he had photographed the suspect and collected all his clothing and belongings. He informed us that Detective Grande had requested a gunshot residue kit (GSR) be collected from the suspect.

I proceeded to obtain a GSR kit from the Property and Evidence Room and proceeded to obtain the samples from Richard Ortiz.

I then used a 35mm camera to photograph the suspect. Ortiz had several scratches on the back of his right hand. He also had abrasions on the inner right arm and in the area above the right elbow. Ortiz had several red abrasions on his head and red scratches to his upper back area. The injuries were documented with photographs. Please refer to the photographs for further details. Ortiz also had the following tattoos: the right upper arm had "FCW" and "SAN DIEGO" was also tattooed on the right arm. The right hand/ wrist area had "IAX3" and on the left arm he had "Destiny" and "Adelina" tattooed.

Shortly thereafter, the blood nurse (Patti Hodge) from American Forensic Nurses arrived and processed the suspect. (See attached copy of procedures). After processing Ortiz, the nurse handed Detective Meeks and I two (2) sealed and labeled envelopes. The envelopes were immediately impounded into NCPD's Property and Evidence Locker.

Reporting Officer CHAVEZ	ID # 7934	Division PATROL ORIGI	Approved By R. A. Rounds	Date of Report Time 03/22/2004 16:25 Continued Y
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Code Section And Description	(one incident only)	Date 03/11/2004		Day of Week	Time 11:50	•
PC / 187*664 / ATTEMPTED N	URDER/DEGREE UNSPECIFIED	1 00/17/2004	City		District	Beat
Location Of Incident (Or Address	55)		NATION	VAL GITY		240
620 E 24TH STREET						
Person(s) Involved: Victim Suspect (If Named)						
ORTIZ, RICHARD						<b>~</b>
Property Tag No.(s)						
10019844-10019846, 100200						

### SUPPLEMENTAL REPORT:

On 031104 at approximately 1220 hours, Property Evidence Specialist (PES) A. Flores and I arrived at 620 E. 24th Street, pursuant to a request from Detective J. Meeks to assist in processing the scene of an officer involved shooting.

Upon our arrival, Detective D. Grande pointed out the location of several bullet casings in the parking lot of the apartment complex (Royal Apartments) and requested we place something over the casings to protect them. PES Flores and I obtained tent markers and placed them over the casings. A total of nine (9) cases were located in the parking lot. The suspect involved in the incident was still at large and believed to be in the general area. A search for the suspect was being conducted and therefore PES Flores and I waited for further direction.

At approximately 1229 hours, the suspect was apprehended in the yard of the residence at 631 E. 28th Street. Subsequently, Sgt. R. Triviz held a briefing and Detective Grande was assigned Case Agent. We were informed that three (3) scenes would need to be documented/ processed. Scene #1 included the parking lot adjacent to 620 E. 24th Street, where the bullet casings were located. Scene # 2 included the corner of E. 28th Street and F Avenue, where the suspect vehicle had collided with another vehicle, and Scene #3 included the residence where the suspect had fled to, and ultimately apprehended (631 E 28th Street). Detective Grande handed out assignments and requested Detective Meeks and I process the scene where the suspect had been apprehended. Scene #1 was assigned to Detective K. Gelskey and PES Flores and Scene #2 (traffic collision) was assigned to Traffic Division Officers.

Detective Meeks and I started walking south toward 631 E. 28th Street from F Avenue and 24th Street. As we approached Scene #2 (28th Street and F Avenue), Detective Meeks requested I take overall photos of the area to document where the suspect had fled from the scene of the collision. Using the Sony Mavica digital camera, I photographed the general area. The two (2) vehicles involved in the collision were at the corner of E. 28th Street and F Avenue. The suspect vehicle was a 1986, blue, 4-door, bearing California license- and the second vehicle was a 1981, gold, 2-door, bearing California license The front passenger side door of the there was debris around the vehicle. There was some clothing and pair of black athletic shoes on the driveway west of the vehicle. There was a red stain on the ground next to the front passenger door and there was also a red stain near the bundle of clothing. There was what appeared to be a trail of rubber particles directly behind the rear, passenger side tire.

After obtaining overall photographs, Detective Meeks and I walked east on 28th Street. As we approached the fourth house on the south side of the street, Detective Meeks requested I photograph the residence (631 E. 28th Street) and explained that the suspect had been located hiding in the tall grass adjacent to the west

Reporting Officer	ID #	Division	Approved By	Date of Report	Time
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	Lord Applica	<u>Narrativ</u>	C Date		Day of Week	Time	3/
Code Section And Description (one Incide PC / 187*664 / ATTEMPTED MURDER)	DEGREE UNSPECIFIE	D	03/16/2004	City	TUE	District	Beat
Location Of Incident (Or Address) 620 E, 24TH AVEUNE				NATION	AL CITY		240
Person(s) Involved: Victim							·
Suspect (If Named) ORTIZ, RICHARD							
Property Tag No.(s) 10019854							
SUPPLEMENTAL REPORT							
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tocumented. Officer Geidel and obtain a medical release	stated he had to form if possible	), Э,	Comon and w	was removed tille	p	•	•
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The Sony CD-R compact di	isc was later imp	oounded into N	CPD's Proper	ty and Ev	ridence Loci	cer.	
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Reporting Officer	ID #	Division	Approved By		Date of R 03/22/200	4 4	ime 6:25
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	Land orly)	Date		Day of We	ek	Time	
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620 E. 24TH AVEUNE Person(s) Involved: Victim							
Suspect (If Named) ORTIZ, RICHARD						<u>, , , , , , , , , , , , , , , , , , , </u>	1
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partner that when she contacted at approximately 2000 hours, she was told that the mother did not want to sign the Medical Release Form.

### EVIDENCE:

Property Tag #:

Description:

10019854

one Sony CD-R compact disc

REPORT COMPLETED 031704/ 1030 HRS

	San Diego Region		<b></b>			
Continued From: GRIME	Page	Dogo		ırnber		
GINIME	Officer's Repor Narrative	Į.	1 of	2	0402679	
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しゅごフ187*684/ATTEMP1にリ	VIURDENDEGICE GNOTE CONTROL	03/11/2004	City NATIONAL CITY	V	District	Beat 240
Location Of Incident (Or Addre 620 E. 24TH ST.	(33)		1451 FOLKER CO.			
Person(s) Involved: Victim HARWARD, DAN						
Suspect (If Named) ORTIZ, RICHARD			***************************************			
Property Tag No.(s) 10020028-10020038						
request. Upon my arrive MEEKS requested that the suspect (RICHARD but were unable to local ORTIZ had apparently at the corner of 28 with a 35mm camera. Exterior of each vehicle took close up photogra. In addition, I took over I placed crime scene me scene and each item of where ORTIZ was take NCPD'S Property and	rs, I arrived at 631 E. 28 <sup>th</sup> St. pursuant to CRI ral, DETECTIVE MEEKS and CSS CHAVEZ I use a metal detector to search for a possible ORTIZ) was taken into custody. CSS CHAVE te any weapon.  crashed a 1986 (CA)  th St. and F Avenue. DETECTIVE MEEKS rows and F Avenue. Detective Meeks rows are color film, I took of 36-exposure color film, I took of the damage to each vehicle, and what a rall and close up photographs of evidence item arkers next to each item of evidence, and again evidence. I then took overall photographs of evidence. I then took overall photographs of evidence Locker.  graphing the scene, I began collecting each item of the collecting each item of th	weapon on to VEZ and I selected that ok overall phore front and appeared to be as on the grown took overall the area leadended (3) roll on of evidence of the area took overall the area leadended (3) roll on of evidence of the area took overall the area leadended (3) roll on of evidence of the area took overall the area to the area took overall the area took overall the area took overall the area took overall the ar	he west side of arched the are arched the are arched the are a photograph of the bullet holes and near the vall and close upling from the sof 36-exposition. The evide archigh School archight School	the scene the scene chicles.  p photog crash to the color color chicles.	28 <sup>th</sup> St. Spessible versible	where weapon, crash crash the tion to ected e
(with the exception of southwest corner of the metal object (located or passenger tire of the the the corner), (1) sample hooded jacket (located of the driveway), (1) to (located on the drivew woman's shoes, and the southwest corner of the sample hooded jacket (located on the driveway), (1) to (located on the d	the unknown metal object), well located on the intersection of E. 28th St. and F Avenue. The on the ground north of the pair of men's black sneakers and dark gray, and (1) control of red stain (located west of the diagraph of black pants (located on the southwest corner of the driveway), (1) are of black pants (located on the southwest of the pair of men's shoes and socks into NCPD's the pair of men's shoes and socks into NCPD's	ne evidence i ) woman's lored stain (loo /black socks he  black nylor corner of the mpounded the S Property an	tems I collected the shoe (located west of the collected on the collected on the collected on the collected driveway), and the collected the c	ed included west of the front part of the southwarf on the sed (1) wordertal objectors.	ed (1) up of the responsive correct correct correct correct correct couthwe man's risect, each	nknown ar er tire of ner of the ack, st corner ight shoe of the
before impounding th	es and (2) control swabs of the red stain in the em into NCPD'S Property and Evidence Loc	CAT.				
I searched the (1) blace wallet, (1) pocketknif California identification	ck, hooded jacket and (1) pair of black pants fe, (1) book of matches and (1) pager inside the on card (CA	or possible part front p	property inside locket of the p linside of the	e the pocloants. The wallet. I	kets. I f ere was made a	ound (1) a copy of

Division

PATROL

ID# 7644

Reporting Officer JESTERLY Approved By D. J. Grande

Date of Report 03/17/2004 Time 17:30

Continued From: CRIME	San Diego R Officer's R Narrati	teport		Page 2 of 2	Case No 0402679	
Location Of Incident (Or Addre 620 E. 24TH ST.	 (one incident only) MURDER/DEGREE UNSPECIFIED	Date 03/11/2004	City NATION	Day of Week THU NAL CITY	Time 11:50 District	Beal 240
Person(s) Involved: Victim HARWARD, DAN Suspect (If Named) ORTIZ, RICHARD Properly Tag No.(s) 10020028-10020038						

the identification card and attached it to this report. I later impounded the contents of the left pant pocket into NCPD'S Property and Evidence Locker.

I later placed the (1) black, hooded jacket, (1) pair of black pants, and (1) black, nylon shirt in the Drying Room at NCPD. Each item of clothing had red stain on it, after the clothing has had time to dry, I will impound each item into NCPD'S Property and Evidence Locker.

### EVIDENCE:

Property Tag #:         Description:           I0020028         (1) Unknown metal object           I0020029         (1) Woman's left shoe           I0020030         (1) Sample, (1) control red stain           I0020031         (1) Pair of men's sneakers & socks           I0020032         (1) Sample, (1) control red stain           I0020033         (1) Hooded, black jacket           I0020034         (1) Black, nylon shirt           I0020035         (1) Pair of black pants           I0020036         (1) Woman's right shoe           I0020037         (3) Rolls of 36-exposure color film	Evidence Item #:  1 2 3 4 5 6a 6b 6c 7 natches, (1) pager NA NA
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REPORT COMPLETED AT 2054 HOURS ON 031104.

### END OF REPORT

		T	Approved By	Date of Report	Time
Reporting Officer	ID#	Division	D. J. Grande	03/17/2004	17:30
JESTERLY	7644	PATROL	67. 77.	Continu	ied Y
		ODICINAL			

Continued From: CRIME	San Diego R Officer's F Narrat	Report	Page 1 of 1	Case Num 0402679	iber
		Date	Day of Week	Time 11:50	
Location Of Incident (Of Address 620 E. 24TH ST.	O) VESSE, VI	03/11/2004	THU lity IATIONAL CITY	District	Beat 240
Person(s) Involved: Victim		والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع المراجع والمالية والمواجعة والمراجع والم			
HARWARD, DAN	The state of the s				
Suspect (If Named) ORTIZ, RICHARD					
Property Tag No.(s)	•				
10020033-20035					

### SUPPLEMENTAL REPORT:

On 031704 at 2116 hours, I removed (1) black hooded jacket, (1) black, nylon shirt and (1) pair of black pants from the NCPD Dry Room and impounded them into NCPD'S Property and Evidence Locker.

### EVIDENCE:

Property Tag #:

Description:

10020033

(1) Black hooded jacket

10020034 10020035 (1) Black nylon shirt (1) Pair of black pants

REPORT COMPLETED AT 2125 HOURS ON 031704.

END OF REPORT

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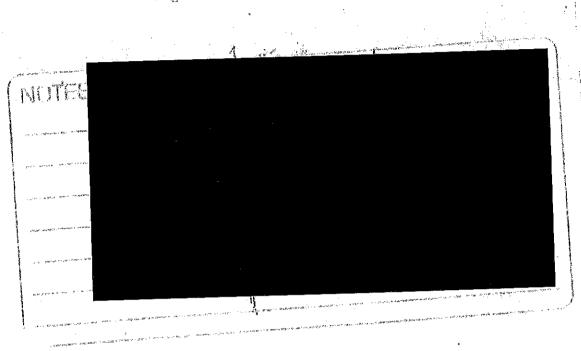
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	VEHICLE IMPOUND CONTROL FORM LICENSE STATE NUMBER
	CASE NO.  VEH. DESC.  VEH. DES
SECTION #2	RELEASE AUTHORIZATION  THE NATIONAL CITY POLICE DEPARTMENT AUTHORIZES RELEASE OF THE ABOVE BESCRIBED VEHICLE TO:  REGISTERED/LEGAL OWNER, OR AGENT  RELEASE AUTHORIZED BY:  ATTENTION OWNER/AGENT: FAILURE TO REMOVE THIS VEHICLE FROM STORAGE MAY RESULT IN DISPOSAL OF THE VEHICLE, AS AUTHORIZED BY STATE OF CALIFORNIA VEHICLE CODE:
ECTION#3	ESTIMATED VALUE:  ESTIMATED BY (PER SECTION 22870 CVC)  DATE  ESTIMATED BY (PER SECTION 22870 CVC)  OVER \$1,000  OVER \$1,000  OVER \$1,000
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## NATIONAL CITY POLICE DEPARTMENT CRIME LAB WORK REQUEST

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CSS		÷ ·
PROCESS USED/RESULT	5:	
DISPOSITION OF EVIL	DENCE:	



### San Diego Sheriff's Department CRIME LABORATORY

5255 Mt. Etna Dr. San Diego, CA 92117 (858) 467-4600



## CRIME SCENE INVESTIGATION REPORT

REQUESTED BY: AGENCY / DIVISION:

SUSPECT (S):

VICTIM (S):

Det. Grande National City PD / Investigations

Ortiz, Richard

Miller & Harward (Officers)

04001391T SDSD#: 0402679 AGENCY #:

OIS CRIME:

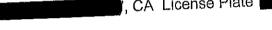
3/11/04 CRIME DATE:

## SERVICE REQUESTED

Vehicle trajectory determination.

## **EVIDENCE EXAMINED**

, CA License Plate



## **EXAMINATION**

The above vehicle was examined in the National City Police Department's Impound Garage area on 3/30/04 for the purpose of documenting bullet impacts and determining the associated trajectories.

Multiple impacts and their associated trajectories were determined to be present, these trajectories are identified as "Trajectories 1 - 6" and are described below. Angles in the horizontal plane are measured from a "front" to "rear" direction from the vehicle's axis. All angles are considered approximate. See Diagram 1. Significant body damage is present primarily in the area of the vehicle's front end. The hood is damaged and has been removed, the passenger side forward seat has also been twisted out of alignment and can no longer be properly positioned. The determined trajectories and measurements have been extrapolated as possible and reported as they would correspond to an undamaged vehicle.

Note: The identified trajectories establish the relative positions of the firearm and vehicle at the instant of discharge. Variables such as street topography, vehicle suspension dynamics, firearm height, vehicle movement, or supplementary evidence have not been considered for the purposes of this report. Additional information would be required should an attempt be made to accurately position the shooters relative to the vehicle and the surrounding environment at the time of discharge.

## Trajectory 1

This projectile originates on the passenger side of the vehicle, it impacts and perforates the sheet metal of the hood moving generally from front to rear and right to left. After perforating the hood, this projectile perforates the radiator overflow hose, a wiring harness, and the firewall within the engine compartment. Approximate angle of this trajectory is 30 degrees from the vehicle axis. See Diagrams 1, 2. Page 1 of 6

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LTH aA

### Trajectory 2

This projectile originates on the passenger side of the vehicle, it impacts and perforates the sheet metal of the hood moving generally from front to rear and right to left. Approximate angle of this trajectory is 35 degrees from the vehicle axis. See Diagrams 1,

### Trajectory 3

This projectile originates on the passenger side of the vehicle, it impacts and perforates the windshield at the intersection of the windshield and the dash moving from outside to inside and generally from front to rear and right to left. After perforating the windshield, the projectile enters the top of the dash and then exits from the front of the dash. The projectile continues on to impact the steering wheel. The steering wheel impact is located on the left side of the cross piece when viewed from the diver's seat with the wheel in a neutral/"straight ahead" orientation. See Diagrams 1, 2, 3. The steering wheel impact aligns with the trajectory through the windshield and dash by rotating the steering wheel clockwise (right) approximately 130 degrees or counter clockwise (left) approximately 230 degrees. Approximate angle of this trajectory is 22 degrees from the vehicle axis.

### Trajectory 4

This projectile originates on the passenger side of the vehicle, it impacts and perforates the glass of the rear passenger side door window. The projectile then impacts the side of the forward passenger seat headrest, perforates, and then exits through the face/forward surface of the headrest. Projectile travel is from outside to inside and generally from rear to front and right to left. Approximate angle of this trajectory is 115 degrees from the vehicle axis. See Diagrams 1, 2.

### Trajectory 5

This projectile originates on the passenger side of the vehicle, it impacts and perforates the sheet metal of the passenger side rear quarter panel. The projectile then impacts the rear facing surface of the passenger side rear door. Projectile travel is generally from rear to front and right to left. Approximate angle of this trajectory is 160 degrees from the vehicle axis. See Diagrams 1, 2.

### Trajectory 6

This projectile originates on the driver side of the vehicle, it impacts and penetrates the sheet metal of the roof above the driver side rear door window. Projectile travel is generally from rear to front and left to right. Approximate angle of this trajectory is 120 degrees from the vehicle axis. See Diagrams 1, 2.

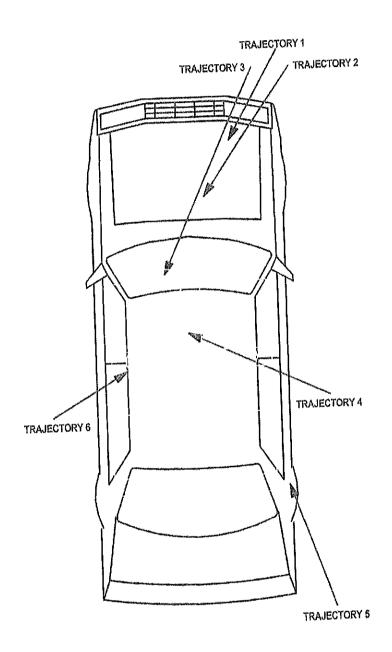
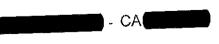


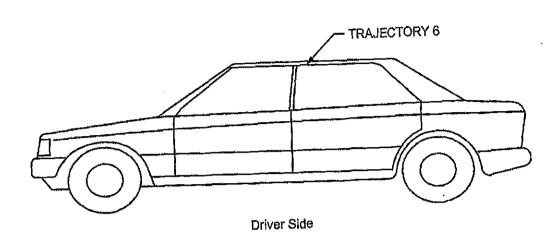


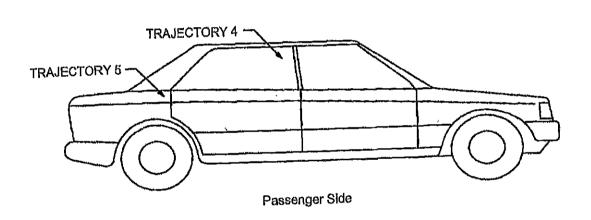
Diagram 1. Determined Trajectories:



(Not to Scale)

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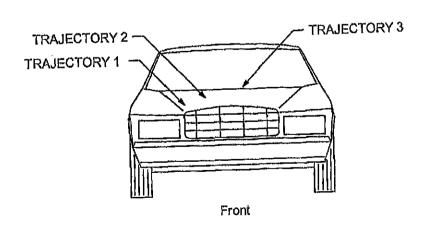
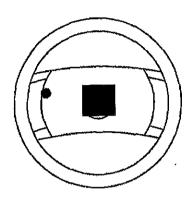
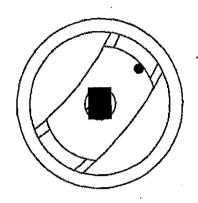


Diagram 2. Initial Impacts to Vehicle Exterior

(Not to Scale)







Rotated Alignment Orientation

Diagram 3. Location of Steering Wheel Impact and Alignment Position with Trajectory 3. (Not to Scale)

### Additional Observations:

The four (4) vehicle tires appear to be properly inflated.

The windshield is intact with one (1) impact present, this impact is associated with Trajectory 3.

The rear window is intact.

The driver side front and rear door windows are in the down position and are intact.

The passenger side front door window is in the down position and is intact.

The passenger side rear door window is in an approximately  $^3/_4$  up position. The glass window fragments are held in place by a layer of tinting material adhering to the inside surface of the window. One (1) impact is present which is associated with Trajectory 4.

No projectile evidence was collected as part of the vehicle trajectory examination.

### CONCLUSIONS

The subject vehicle exhibits multiple projectile impacts which are associated with six (6) trajectories. These trajectories are represented in Diagrams 1 and 2 and are detailed in the examination section.

The presence of open windows on opposing sides allows for the possibility of a projectile passing through the passenger compartment without impacting the vehicle structure.

The determined trajectories are assumed to have been produced prior to the observed vehicle crash damage and are reported as they would correspond to an undamaged vehicle.

At the time the projectile associated with Trajectory 3 impacted the steering wheel, the wheel was turned to the right/left sufficiently to align with the determined trajectory.

Detailed notes of the examination are maintained at the Sheriff's Crime Laboratory and are available upon request.

LANCE T. MARTINI

CRIMINALIST II # 9280

CRIMINALIST'II # 9791

Technical review

7/7/04

Date

SUPERVISING CRIMINALIST # 9050

Administrative review

# FIELD PROPERTY RECEIPT / RELEASE FORM

NATIONAL CITY POLICE DEPARTMENT, CITY OF NATIONAL CITY, CALIFORNIA 1200 NATIONAL CITY BLVD \* NATIONAL CITY, CA 91950-4594 \* (619)336-4447

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# FIELD PROPERTY RECEIPT / RELEASE FORM

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Continued From:	San Diego	Regional		Case Number
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	Narr		Day of Week	Time
Code Section And Description (one Incide 187'664 / PC / ATTEMPTED MURDER/D	ent only) DEGREE UNSPEC	03/11/2004 City	THU	11:50 District Beat
Location Of Incident (Or Address) 620 E 24TH ST		- The state of the		
Person(s) Involved: Victim STATE OF CALIFORNIA,				
Suspect (If Named) URZUA, MARIA TERESA		and the second s		
Property Tag No.(s)	And the state of t			

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SUSPECT'S ADDRESS				Vall 1	No. 201 INC. 1879 IN A CONSTRUCTION OF THE CONTRACTOR OF THE CONTR		The state of the s
PHONE	1	SEX AGE M 22	10/12/1981	нт. 5'10"	wt. 200	FAT	HAIR COLOR EYE COLO BLK BRO
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# SAN DIEGO REGIONAL

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## INVESTIGATION ADDENDUM REPORT

CONTINUED FROM CRIME REPORT				PAGE CASE NUM 4 OF 6 0402679	
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PC / 664 / ATTEMPT QUALIFIER					
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Officer Officer	o Regional 's Report rative	Page 6 of 6	Case Nu 0402679	
	Date	Day of Week	Time	
Code Section And Description (one incident only) PC / 664 / ATTEMPT QUALIFIER Location Of Incident (Or Address) 620 E 24TH ST	3/11/2004 City	NAL CITY	11:50 District	Beat 246
Person(s) Involved: Victim Harward, D Suspect (If Named)		er general V de la la region de		<u></u>
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On Thursday, March 11, 2004 at about 1150 hrs, a Hispanic male identified as Richard Ortiz 10/12/81 was attempting to leave the south parking lot of 620 E. 24th St. in National City in a stolen 1986 Blue which was taken during an armed pedestrian robbery which he had Ca. Lic.# committed the day before. Two National City Police officers attempted to contact and stop Ortiz while he was leaving the parking lot. Ortiz quickly accelerated the vehicle toward the two officers and attempted to strike the officers with the specific intent to evade apprehension and arrest.

Ortiz left the parking lot of the apartment complex at a high rate of speed and in a wreck less manner. He continued to drive at high rate of speed and wreck less manner southbound on "F" Avenue through an Elementary and High School area which was populated with school children. Due to Ortiz' wreck less driving with the intent to evade police officers, he struck another vehicle at the intersection of E. 28th St. and "F" Ave. causing serious injury to the passenger of the other vehicle. Ortiz then fled his vehicle and attempted to conceal himself in a yard of a residence several hundred feet away.

Ortiz was found by officers at the scene and taken into custody. (See further supplemental reports for further information).

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# SAN DIEGO REGIONAL ADDITIONAL VICTIMS AND/OR WITNESSES AND OTHER PEOPLE ASSOCIATED WITH THE CRIME

	AN	D OTHE	R PEOPLE A	SSOC	IATED WIT	H THE CRIME	3 OF 10	040	2679
LOCATION OF INCIDENT (OR ADDR E 28TH ST CITY	ess)	- 41.74t			EAT	DISTRICT			· :
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V DG VICTIM'S NAME (LAST,	FIRST, MIDE	DLE / OR ONG	ANEZATIOH)						4
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	a.	AD	DITIONAL SU	ISPECT(S	) REPO	ORT		SE NUMBER
LOCATION OF INCIDE	IT (OR ADDRESS)					·	4 OF 10	0402679
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REPORTING OFFICER	AND THE PROPERTY OF THE PROPER	The state of the s	I.D.					
Scott Shanahari			393					

INVESTIGATION AD	DENDUM REPO	
CONTINUED FROM CRIME REPORT		PAGE CASE NUMBER 5 OF 10 0402679
CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY)	a company agreem push of makes a second con-	0 OF 10 0402019
PC / 211 / ROBBERY		· · · · · · · · · · · · · · · · · · ·
LOCATION OF INCIDENT (OR ADDRESS)  EXAMPLE 28TH ST		
CITY		DAY OF WEEK TIME BEAT
The state of the s	/2004 - 03/10/2004	Wed - Wed 23:00 - 23:30 235
PERSON(S) INVOLVED: VICTIM		
SUSPECT (IF NAMED)		
ORTIZ, RICHARD		and the second s
PROPERTY FAG NO(S)		
EVIDENC	E COLLECTION	<u> </u>
Officer's Investigation: I conducted the following attempts to locate, collect and preserve evidence 620 E 24TH, NATIONAL CITY		
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REPORTING OFFICER 1.D.# DIVI	ISION APPROVED BY	DATE OF REPORT! TIME

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recovered evidenc	e listed in the spaces below (Include photographs also):	
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CAMAG	Officer's Report				
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Code Section And Description (on PC / 211 / ROBBERY	e incident only)		Date 03/10/2004 - 03/10/2004	Day of Week Wed - Wed	Time 23:00 - 23:30
Location Of Incident (Or Address) E 28TH ST				City NATIONAL CITY	District Beat 235
Person(s) Involved: Victim					
Suspect (If Named) ORTIZ, RICHARD					
Properly Tag No.(s)					
SYNOPSIS:					
On 03/10/04 at about 2300	hours,	was robbed at knif	epoint of his car ke	eys, watch, and a pack in the back yard of	of camel
cigarettes by two adult male National City. Immediately					E. 28 St. in
which parked in front of the	<b>~</b> -		orac 1900	O. I	<del></del>
ORIGIN:					
On 03/11/04 at about 0953 l	hours. I was dispat	ched to investigate	a report of a car ia	cking that occurred a	t East 28 <sup>th</sup>
Street in National City. The	e reporting party,	reporte	d that his 1986 blu	e 4-door	unknown
license plate was forcibly ta	ken from him at kr	nife point the night	prior at about 230	0 hours. The suspect	s were two
Hispanic male adults.					
<u>INVESTIGATION</u> :					
Upon my arrival at about 09	957 hours, I met wi	th the victim,	in front of	East 28 <sup>th</sup> Street.	I obtained the
below listed statement from	reference th	ne robbery of his ca			he theft of his
car. has known both l	Richard Ortiz and		for the past thre	se to four months.	
After obtaining stat	ement, I spoke wit	h the resident of		ad	lvised me that
is her daughter's	s ex-boyfriend and	often stays in the	oackyard at	without	permission.
According to Richa	rd Ortiz often visit	s the residence bel	aind hers but she di	d not know where he	lives.
After talking with	drove to the	e 600 block of Eas	24 <sup>th</sup> Street to poin	t out the residence of	Ortiz' parents.
did not know if Ortiz	still lived there.	pointed out		colored house	with an older
model in the					
if we could locate the licens				n Moynahan's tow y	ard about two
weeks ago and had not regis	tered the car into h	ns name as of the o	iate of the their.		
While at Moynahan's,					•
from the mechanic. The lice	*	·	<u> </u>	<b>-</b>	
dispatch and requested they dispatch advised me that Na					
dispatch several minutes ear	•				
	~		•		
Dispatch further advised tha	t Carranza had adv	rised approximatel	y 20 minutes prior,	she saw the blue	parked
in the west alley of the 1900	DIOCK OF WILSON A	venue. Carranza	saw the vehicle wa	s occupied by two m	aies and a
Reporting Officer Scott Shanahan	ID# 393	Division PATROL	Approved By D. J. Grande	Date of Repo 03/12/2004	rt Tirme 23:59

Continued From: CRIME	Officer's Report				Page 8 of 10	Case Nu 0402679	
Code Section And Description	(one incident only)	<u>Narrative</u>	Date		Day of Week	Time	
PC/211/ROBBERY	(Sito monath only)		03/10/2004 - 03/10/2004		Wed - Wed	23:00 - 2	23:30
Localion Of Incident (Or Addre	ss)		1 0000 1000 0000	City NATIONA	. CITY	District	Beat 235
Person(s) Involved: Victim	ada katangan da akhara ara ara ara ara ara ara ara ara ara						
Suspect (If Named)		dagler var er det kalder var stagtet kommende og folken som det det er en er er er er er er er er er er er er					
ORTIZ, RICHARD Property Tag No.(s)	The second secon	<del>nes de commentation de la comme</del>				adura valare valanare	
female. Carranza approa	sched the vehicle an	d snoke with the driver	a Hispanic ma	ale adult a	nd told him	to move	the ca
because it was illegally p		a spoko wiai ato arroi,	a mopanio me	ito addit a	na tota mm	io move	uio on
The Hispanic male drive						e trolley :	statio
to fix the problem. Carra	anza confirmed that	there was a male and fe	male passenge	er also in t	he vehicle.		
drove back to the ocated his car.	East 28 <sup>th</sup> Stree	et and dropped him off.	I advised him	I would g	et in touch v	vith him	if we
BACKGROUND:							
None.							
STATEMENTS:							
(Victim/witness	statement):						
On 03/10/04 at about 2300 ho about doing some landscaping standing by the b		red into the back yard at		who liv nd saw a Hi	res at <b>em Co</b> spanic male ac	dult, he kne	ew as
did not think anything a	about it because '	often stays in the backy	ard because his e	x-girlfriend	,	lives in	ı the
walked by 'malking ar mew as "Richard" walking ar occasions over the past two or	ound in the rear portion		seen "Richard" a	it the reside	nce on several	different	nale he
walked back toward the aid he did not take it and said he yard and that maybe he too	that he had heard from	other residents at	that "R		ok his electric suspected of		gs fron
walked over to "R lemanded, "give me your mor was blocking his escape and h	ney." <b>Exam</b> started to b	nate had accused him of back away and saw that			lked over to hind him to hi		and
Richard" reached into his from the reached i	ot going to give him his I held it in his left hand.	money and that he was going. "Richard" told	g to leave. "Ricl	nard" pulled	out the home	made looki	ing
maney. I in not selewing at	tourd with your 1 m go	ang to state you;					
Reporting Officer Scott Shanahan	ID # 393		roved By . Grande		Date of Repo	ort Time 23:59	······································

Continued Trom:		San Dieg					
CRIME			's Report	Page	Case Number		
			rative	9 of 10	0402679		
Code Section And Description (one in PC / 211 / ROBBERY	cident only)	+ 1015	Date 03/10/2004 - 03/10/2004	Day of Week Wed - Wed	Time 23:00 - 23:30		
Location Of Incident (Or Address)			(	Sity	District Beat		
Person(s) Involved: Victim			P	IATIONAL CITY	235		
Suspect (If Named) ORTIZ, RICHARD				Marian Marian Marian Marian Marian Marian Marian Marian Marian Marian Marian Marian Marian Marian Marian Maria			
Property Tag No.(s)		<del>                                      </del>		<del>ya</del>			
Richard then walked toward with his right hand and took  "Richard" then moved behind pack of Camel filter cigarettes from	vith the knife as the car keys.  and pressed the khis left jacket poor that "Richa" said "Richa"	cough he was going the against white against wet. "Richard" the rd" was not going hard" would bring	en ran from the backyard with to steal his car, but that he just the car back later.	watch from his left response property.	nt jacket pocket ar pocket and a d some things		
the yard as if he were looking for son	meone. meone meone meone meone. meone meon	et a fernale named, t told that sh	who was also visit the would help him get it back.	ing with at at			
at East 24 <sup>th</sup> Street and Highland Ave			car to About two hours port his car stolen.				
When arrived at the 7-11 store into the middle gas pumps and give him the keys. "Richard" said, "	ran across the st	reet and confronte	d him about his car. we yel	led at "Richard" to get	tichard" pulled out of his car and		
got into the car with "Richa back to the house and saw that "Rich	rd" and said she vard" or	vould make sure sl and returned with t	ne got the keys from him wher he car.	n they reached the hous	e. walked		
decided to wait until morning East 28th Street and looked for his ca away.							
spoke with at call police and report the robbery and	l his car being sto	and asked if she len.	had seen his car. had n	not seen car and	t he decided to		
can identify "Richard" and 'llook at the female passenger to provi			e can identify the male passen	ger but he did not get a	good enough		
described "Richard" as being a light complexion, muscular to fat bui Street in National City.	ld, wearing silver						
described 'as being black hair, mustache, unshaven, med know where 'as 'lives.			ars of age, 5'11" tall, 160 to 1 shirt, blue or dark colored levi				
described the knife used in the he could not see what the handle lool was being concealed under "Richard	ced like. <b>Grand</b> do		ife with a 10-inch blade. The ichard" had the knife in a she				
EVIDENCE:							
Reporting Officer Scott Shanahan	ID # 393	Division PATROL	Approved By D. J. Grande	Date of Repo 03/12/2004	rt Time 23:59		

Offi	San Diego Regional Officer's Report Narrative		Case No 0402679	
Code Section And Description (ane incident only) PC / 211 / ROBBERY	Date 03/10/2004 - 03/10/2004	Day of Week Wed - Wed	Time 23:00 - 2	23:30
Location Of Incident (Or Address)  E 28TH ST	Cily NATION	IAL CITY	District	Beal 235
Person(s) Involved: Victim Suspect (If Named)				
ORTIZ, RICHARD Property Tag No.(s)			***************************************	***************************************

No physical evidence was obtained.

### **INJURY**:

did not sustain any injuries as a result of the incident.

### PROPERTY LOSS:

had an "Elgin" wrist watch with a gold dial and a silver band with gold in the middle, a 1986 blue 4-door CA CARLES and a pack of Camel filter cigarrettes. The "Elgin" watch was estimated by \$300.00. The pack of cigarrettes were estimated at \$4.00. Said he paid \$1,500.00 for the car and had just paid for over \$3,000.00 in repairs.

### FOLLOW UP:

By NCPD Detectives

### **RELATED REPORTS:**

Case #0402679. Traffic collision investigation. CHP-180 stolen vehicle report.

D	6.7 7 1			
Reporting Officer ID#	Division	Approved By	Date of Report	Time
Scott Shanahan 393	PATROL	D. J. Grande	03/12/2004	23:59

San Diego Regional Officer's Report Narrative		Case Nu 0402679	
; 1/2004	Day of Week THU	Time 11:50	
Clly NATION	AL CITY	District	Beat 240
	Glty	/2004 THÚ	Day of Week   Time   11:50   City   District

#### SUPPLEMENTAL REPORT

On 3-11-04, at about 1149 hours, I was the on-duty Dayshift Supervisor and was in the police station speaking with the Watch Commander, Lt. Fifield. I overheard police radio traffic that officers had located a carjacking vehicle in the 600 block of E. 24<sup>th</sup> Street and were walking up on it. A few moments later, I heard an officer state, in a distressed tone, that he was in foot pursuit. At this time, I discontinued our conversation and left the building to assist these officers.

During my response, I overheard radio traffic indicating shots had been fired. I upgraded my response by turning on the overhead lights of my patrol vehicle and siren and arrived at the south parking lot of 620 E. 24<sup>th</sup> Street. I saw there numerous expended bullet casings on the ground. I directed Officer A. Hernandez to put up yellow barrier tape to establish this as a crime scene.

I then responded to the "L" intersection of E. 28<sup>th</sup> Street and "F" Avenue, which is south of the parking lot of 620 E. 24<sup>th</sup> Street. There, I saw a traffic collision had occurred involving the following vehicles:

- 1. A blue California License Plate # (stolen, carjacked vehicle). I saw there were bullet holes in the California License Plate # (stolen, carjacked vehicle). I saw there were bullet holes in the California License Plate # (stolen, carjacked vehicle). I saw there were bullet holes in the California License Plate # (stolen, carjacked vehicle). I saw there were bullet holes in the California License Plate # (stolen, carjacked vehicle). I saw there were bullet holes in the California License Plate # (stolen, carjacked vehicle). I saw there were bullet holes in the California License Plate # (stolen, carjacked vehicle). I saw there were bullet holes in the California License Plate # (stolen, carjacked vehicle). I saw there were bullet holes in the California License Plate # (stolen, carjacked vehicle). I saw there were bullet holes in the California License Plate # (stolen, carjacked vehicle). I saw there were bullet holes in the California License Plate # (stolen, carjacked vehicle). I saw there were bullet holes in the California License Plate # (stolen, carjacked vehicle).
- 2. A gold California License Plate #

I saw there was an unidentified male lying on the ground next to the with an apparent wound to one of his knees. NCFD and Paramedics had arrived and were attending to this male and there were numerous officers around. After making sense of what I was seeing, I had officers of the scene after the collision.

Because my patrol vehicle was now boxed in by other emergency vehicles, I got into NCPD Patrol Vehicle # 370. I moved this vehicle from the intersection of E. 28<sup>th</sup> Street and "F" Avenue, to the front yard of E. 28<sup>th</sup> Street. This enabled me to get my patrol vehicle out of the immediate area.

I coordinated the efforts of all officers as I determined the following areas to be crime scenes:

- 1. South parking lot of 620 E. 24<sup>th</sup> Street.
- 2. Intersection of E. 28th Street and "F" Avenue.

I arranged for these areas to be cordoned off with yellow barrier tape and secured.

As witnesses were located by officers and the most updated information was being broadcast, Detective L. Hart said he had a witness who saw the outstanding suspect run from the traffic collision scene eastbound on E. 28<sup>th</sup> Street. Detective Hart continued and said his witness saw the suspect then head in a northerly direction in the area of "G" Avenue. The suspect was described as wearing a beanie and wearing a light blue shirt. I directed officers to tighten the

Reporting Officer	ID #	Division	Approved By	Date of Report	Time		
MHARLAN	361	PATROL	R. G. Triviz	03/11/2004	21:32		

Continued From: OFFICER'S REPORT ONLY	San Diego Regional		A State of the Sta	······································		
	Officer's Report Narrative		Page 2 of <sup>2</sup>	Case Nu 0402679		
Code Section And Description (one incident only) PC / 187*664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED Date 03/11/2004				Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 E. 24th Street (South Park)			City NATION	VAL CITY	District	Beat 240
Person(s) Involved: Victim NCPO Officer Harward, NCPD (	Officer Miller					
Suspect (If Named) Orliz, Richard						
Property Tag No.(s)						

perimeter to around this area. As officers did this, I requested mutual aid assistance and received it in the form of several SDSO Deputies and the ASTREA helicopter.

An unidentified officer advised over the radio that he could hear movement in or around the residence later to be determined as 631 E. 28<sup>th</sup> Street. As I made my way toward this location, several officers entered the backyard of this residence. I instructed officers to establish a perimeter around this residence and check the backyard since they were already there. An unidentified SDSO Deputy told me he knew that this particular residence was vacant and no one was supposed to be inside. I do not know how this deputy knew this information. I additionally instructed officers not to enter the residence until the availability of a mutual aid K-9 team was determined.

I maintained a position on E. 28<sup>th</sup> Street where I could see the south and west sides of 631 E. 28<sup>th</sup> Street. At one point, I saw Detective Hart look over a white fence that separated the front and back yard area of 631 E. 28<sup>th</sup> Street. This fence was located on the west side of the residence. I next saw Detective Hart giving verbal commands to a person lying in the grassy area on the west side of the residence, just south of the fence. This person was later identified as <u>Richard Ortiz</u>. I ran to this location, as did Officer M. Gonzales. Officer Gonzales assisted with the handcuffing of Ortiz. I saw Ortiz was wearing a beanie and a light blue shirt, which matched the broadcast suspect description.

I arranged for Ortiz to be transported to NCPD for processing. For the next couple of hours, I coordinated the on scene
NCPD and SDSO personnel to facilitate the smooth processing and handling of this incident.
Olivewood Elementary School is directly adjacent to where the shots had been fired, and Sweetwater
High School is directly adjacent to both the collision scene and to where the suspect was located.

After on scene assignments had been made and were being carried out, I left the scene and returned to NCPD where I continued to facilitate the processing and handling of this incident.

Report completed by:

Sgt. M.B. Harlan # 361 3-11-04 at 2135 hours.

Reporting Officer	ID #	Division	Approved By	Date of Report	Time
MHARLAN	361	PATROL	R. G. Trivíz	03/11/2004	21:32

Off	Piego Regional cer's Report Narrative	Page 1 of 5	Case Nu 0402679	
Code Section And Description (one incident only)	Date	Day of Week	Time	
PC / 187'664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED Location Of Incident (Or Address)	03/11/2004 City	THU	11:50 District	Beat
Location Of Incident (Of Address)   620 East 24th Street		ONAL CITY	District	240
Person(s) Involved: Victim				J
Harward, D.				
Suspect (If Named)				
Orliz, Richard				
Property Tag No.(s)				
DETECTIVE STATEMENT O	OLLOW UP REPORT (Witness)			

On 03-12-04, at about 1320 hours, I met with at the same of the investigation.  Detective and I walked through the crime scene to determine her location at the time of the officer involved shooting in relationship to the suspect vehicle and the involved officers.
pointed out to Detective the approximate locations of her vehicle when the incident began, the location of the involved officers, the location of the suspect vehicle when the involved officers shouted at the vehicle to "stop," the location of the suspect vehicle when the involved officers pulled and pointed their firearms, and the location of the suspect vehicle when the officers began to fire at it. Detective made marks on the ground for each of the approximate locations.
During the walk through with she made the following unsolicited statements to me regarding the incident, "The car was going right at them (the officers). It only turned when the cops fired at him." Also, "It looked like the (the suspect) clipped a cop in the leg as he turned out."
After we completed the walk through of the crime scene with I transported her back to NCPD to be interviewed. Detective Nagle and I interviewed within an interview room in the Investigations Division. The interview was captured on audio and video tape.
The following is a synopsis of our interview with and is not all-inclusive. For further details, refer to the audio and/or video tape(s) of the interview.
Statement of (Witness): which is the foot the Royal Apartments located in the 600 block of East 24 <sup>th</sup> Street. She has worked for the Royal Apartments for about eight years. On March 11, 2004, which is began working at about 0900 hours. She stayed in her office during the morning hours until it was time to pick up her foot as on at the foot of the Royal Apartments and picked up her son. The son then walked back to the office of the Royal Apartments. Addid not see anything suspicious or run into anyone suspicious during this time.
At about 1145 hours, was preparing to take her lunch break. She loaded her south son and son into her vehicle that was parked along the south curb line of 600 East 24 <sup>th</sup> . Street. As she was walking out to her vehicle, she saw a male regident of the anartment complex named.

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Reporting Officer	ID#	Division	Approved By	Date of Report	Time
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ROUNDS	360	INV	R G Triviz		13:16

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	Officer's Report		Page	Case N	
	Narrative		2 of 5	0402679	9
Gode Section And Description	(one incident only)	Date	Day of Week	Time	
PC / 187-664 / ATTEMPTED Location Of Incident (Or Addr 620 East 24th Street	MURDER/DEGRÉE UNSPECIFIED ess)	03/11/2004	THU City NATIONAL CITY	11:50 District	Beat 240
Person(s) Involved <sup>.</sup> Victim Harward, D.					
Suspect (if Named)					
Orliz, Richard Properly Tag No.(s)			- Bayle		
"Richard enter driveway south of dumpster away a da parking The vehic Street. To	disc player for a "really good price" from a male" was, but she suspected "Richard" might be the ered her vehicle (with her two sons) and drove event east of the apartment complex. She then turned 620 and 638 East 24 <sup>th</sup> Street. Stopped her est that are located along the south edge of the partiry diaper. As she got back into her vehicle, she is space adjacent to the 620 East 24 <sup>th</sup> Street build the was parked about 2-3 spaces to the west of the vehicle was parked facing north, toward the senot know the make of the blue vehicle.	e named "Re son of anote ast on East? I west into the vehicle facing area. The saw a blue ing, near the walkway south wall of the country of	ichard." did not ther apartment residence 24 <sup>th</sup> Street. She turn the south parking are not seen to some She exited her vehicle (suspect vehicle (suspect vehicle as outheast corner of between 620 and 63 of the building.	ot know vent.  ed south ea located e trash ele and th hicle) par the build 88 East 24	who into a l to the rew rked in ding.
blue vehi front pass seated in	cle had tinted rear windows, but she was still absenger side door was open and was able to the driver seat of the vehicle. The driver was we shead.	le to see thr see inside t earing a dar	rough the windows. he vehicle. (************************************	The vehi w a male	icle's was
The whit passenge	another white male adult exit southbound on the male had a bag hung over his shoulder. The war door of the blue vehicle. The white male had a the vehicle.	hite male st	tood right next to the	e open	
did lot.	not notice anyone else in the parking lot. She d	id not notice	e anyone on a bicycl	e in the p	arking
the parking because to the control of the driveway noticed earth.	oment, saw two male police officers walking lot, west of her location. immediately rehey were wearing blue uniforms with side arm see police officers was taller than the other police to F Avenue. It appeared that the officers and that other at the same time. The passenger of the design model, the door shut	ecognized the shoulder pat officer. The he driver ar	he two males as poli whes and badges on he two police officer ad passenger of the b	ice office their ches s stood no plue vehice	rs sts. ear the cle

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Reporting Officer	ID#	Division	Approved By	Date of Report 1	Time
ROUNDS	360	INV	R. G. Triviz	03/17/2004	13:16
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The driver of the blue vehicle backed the vehicle out of its parking space "really quick." The driver of the blue vehicle was unable to back out of the space all the way, because vehicle was blocking

PC / 187*664 / ATTEMPTED MURDER/DEGRÉE UNSPECIFIED 03/11/2004 THU Location Of Incident (Or Address) 620 East 24th Street  Person(s) Involved: Victim Harward, D.	ge Case of 5 0402	Number 379
Location Of incident (Or Address) 620 East 24th Street  Person(s) Involved: Victim Harward, D.	y of Week Time	
Harward, D.	Distri	
Suspect (if Named) Ortiz, Richard		- 14/14-14/14/14/14/14/14
Properly Tag No.(s)		-1
his path. The blue vehicle backed up to the front of vehicle. The driver of put the vehicle into "drive." heard the blue vehicle's wheels squeal as it be At this same time, the two police officers began running east into the parking lostopped a short distance east of the east sidewalk of F Avenue. The two police of the east sidewalk of F Avenue.	egan to accelerate.  The two offices	te. ers
next to each other, facing east toward the blue vehicle. Initially, both officers hat the driver of the blue vehicle accelerated the vehicle westbound in the parking better the driver of the blue vehicle accelerated the vehicle westbound in the parking better the driver of the blue vehicle accelerated the vehicle westbound in the parking better the driver of the blue vehicle accelerated the vehicle westbound in the parking better the driver of the blue vehicle.	ad their guns ho	stered.

At this point, was located to the east of the blue vehicle. The officers raised their hands at the blue vehicle, motioning for it to stop. From inside her vehicle, clearly heard one of the officers shout, "Stop the car!" at least one time. The blue vehicle did not stop and continued accelerating forward toward the officers. Saw the officers draw their guns and point them at the blue vehicle.

It is not good at estimating speed, but she saw that the blue vehicle was moving "pretty fast." knows the speed that most vehicles should travel in a parking lot. The blue vehicle was driving too fast for a parking lot. The blue vehicle continued accelerating to "a pretty good speed." and did not see the driver of the blue vehicle apply his brakes during the entire incident. Knows the driver of the blue vehicle did not apply the vehicle's brakes because she did not see the vehicle's brake lights come on.

The two officers were blocking the exit out of the parking lot. There was not enough room to the left (south) of the officers for the blue vehicle to pass by the officers safely. The blue vehicle could have passed the officers to the north of their location by driving over a patch of grass.

could see the officers continued to shout at the blue vehicle to stop. She saw the officers' mouths moving and it looked like the officers were shouting, "Stop the car! Stop the car!" The officers had both hands on their guns. They were pointing their guns at the blue vehicle as it accelerated toward them. The blue vehicle drove "right at" the officers, "head on."

As the blue vehicle accelerated toward the two officers, it continued to travel "faster." [Stated, "They (the officers) didn't have time to react to get out of the way. It would have hit 'em straight on if they hadn't of fired. Because it got him to veer to the left when they fired on him." The officers did not have time to react to jump out of the way because the blue vehicle was traveling toward them too fast. After the officers fired shots at the blue vehicle, the car changed its direction to the left (south) of the officers. The officers tried to get out of the path of the oncoming blue vehicle by moving in a northerly direction. The blue vehicle did not slow down and continued to accelerate.

Reporting Officer ROUNDS	ID #	Division	Approved By	Date of Report	Time
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Continued From: CRIME	San Diego Regional		ľ	The state of the s			
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	Narrative			4 of	5	0402679	,
Code Section And Descripti PC / 187*664 / ATTEMPTE	on (one incident only) D MURDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of V	Veek	Time 11:50	
Location Of Incident (Or Ade 620 East 24th Street	draes)		City NATIONA	L CITY		District	Beat 240
Person(s) Involved: Victim		,		***************************************			L
Harward, D. Suspect (If Named)			, , , , , , , , , , , , , , , , , , , ,				
Ortiz, Richard Properly Tag No.(s)						·····	
op a managasin assumed significant constraint of the significant constraint.							
placed I the righ officer s he other." light" co	oming from their guns. She cannot say how man	cle as it passight leg of the dent. The gring the incive shots each	sed by hi e taller o gunshots ident bec	m. It of the to	appeared wo office ed "one he saw a	d to ers. The after the	that he ne of
die hear any direction after it to F Avent two offices the suspect cloth be was the recognize "Richard	Inot see or hear the officers shoot at the blue vehicle gunshots after the blue vehicle turn onto F Avenue. The art the blue vehicle turned onto F Avenue. The and drove back to the apartment complex officers get back into his vehicle that was parked near the day, watched the news coverage regard being taken into custody by police. The male suganie cap on his head. The cognized the beanies ame as the driver of the blue vehicle she saw in the ted the male suspect the police arrested (from the different complex. In addition, "Richard" used to literate the same as the driver of an ex-tenant of the Royal treatment complex. In addition, "Richard" used to literate the same as the driver of an ex-tenant of the Royal treatment complex. In addition, "Richard" used to literate the same as the driver of an ex-tenant of the Royal treatment complex. In addition, "Richard" used to literate the same as the driver of an ex-tenant of the Royal treatment complex. In addition, "Richard" used to literate the same as the driver of the same as the driver of the same as the driver of the police arrested (from the driver complex. In addition, "Richard" used to literate the same as the driver of	did not two officers on East 24th ting this incispect was we cap and the television lat Apartment	o officer see whe slimp aw 4th Street Street an ident on earing a e way th arking lo broadcas its. "Ric	rs wen re the vay as t. She d F Av televis dark c e susp t earlie t) as a hard"	t in sepa blue vel she exite saw the cenue. ion and olored te ect was er in the male na	rate nicle we ed north taller of saw a r ight-fitt wearing day.  day.  regularl	h onto of the male ting g it
de	partments. scribed the white male passenger of the blue vehi aight dirty blond hair in a ponytail. He was wear ts.	~	-	-			
parking lot of the	rview with I provided her with a photocopy he apartment building at 620 East 24th Street. photocopied picture. After the interview was co ture as being accurate to the best of her recollect	indicated mplete, I ha	l certain	locatio	ons of w	here ev	
position of the p	a photograph line up containing a picture of photograph line up with five other "filler" picture the NCPD PD-660 Photo Line Up form before I	s. I advisec	l <b>and</b> of	the ac	lmonish	ment	<b>#</b> 5

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
ROUNDS	360	INV	R. G. Triviz	03/17/2004	13:16
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Continued From: CRIME	San Diego I Officer's Narra	Report		Page 5 of 5	Case Nu 0402679	
Gode Section And Description (		Date		Day of Week	Time	
	URDER/DEGREE UNSPECIFIED	03/11/2004		วัหน์	11:50	
Location Of Incident (Or Addres 620 East 24th Street			City NATION	NAL CITY	District	Beat 240
Person(s) Involved: Victim						
Harward, D.					····	
Suspect (If Named)						
Ortiz, Richard					·····	
Property Tag No.(s)						

looked at the photograph line up and said, "five." I asked "Who's number five?" responded, "That's Richard."

explained that the person in picture number five (Richard Ortiz) is the same male she saw being arrested by the police on the news coverage of the incident.

### END OF REPORT

Detective Robert A. Rounds National City Police Department Investigations Division

March 14, 2004

Continyed Frant CRIME	San Diego Regional Officer's Report Narrative			Page 1 of 2	Case No 0402679	
Code Section And Description (one incident only)		Date 03/11/2004		Day of Week THU	Time 11:49	
Location Of Incident (Or Address) 620 East 24th Street (South Parking Lot)		307111200-7	City NATION	haranti in iliano manana manana manana manana manana manana manana manana manana manana manana manana manana m	District	Beat 200
Person(s) Involved: Victim Harward, Daniel						
Suspect (If Named) Orliz, Richard						**************************************
Property Tag No.(s)						***************************************

	<u>O</u> :	FFICER'S SU	PPLEMENTAL	
Harward advise of "shots fir area and in the process of do East 28 <sup>th</sup> Street. I was the fir Harward and Miller. I saw and the second a 1986 was a suspect veh and one female. The vehicle the pavement a few feet awa gunshot wound to his lower him. Urzua appeared shake	red" in the area of ping so, I heard the irst supervisor to two vehicles that Both nicle in a carjacking was unoccupied by from the extremities. The n but it did not ap	East 24th Stree at the suspect arrive on scene had been involvenicles had so The vehicle when I arrived The male suspect pear she sustaints. Paramediate	et, 600 block. I respondent to the scene of	officer Harward told me the blue a total of three suspects, two males white male and a female sitting on had sustained a ading to as she knelt next to so Lieutenant Fifield arrived on and Urzua to UCSD Hospital.
At the scene, I asked Officer Miller had discharged their v and obtained initial Public S	weapons. I met w	nd fired his ser rith Officers H	vice weapon at the susp arward and Miller indiv	ects. He told me he and Officer vidually at the scene of the collision
Officer Daniel Harv	vard:			
taken during a carjac Officer Harward and of a parking stall. The Harward. The vehicl was coming right at r	king. The male to Officer Miller was vehicle, which sped toward Of ne". Officer Harhis location he fi	old Officer Ha alked to the so was occupied ficer Harward ward said he fi	rward that the vehicle v uth parking lot and saw by multiple suspects, q and attempted to run hi red two rounds from hi	ast 24 <sup>th</sup> Street regarding a vehicle was parked to the rear of a building, the vehicle, a pulling outling outling accelerated towards Officer im down. Officer Harward said, "he service weapon at the moving arward said Officer Miller also fired
Harward drove his ve collided with a secon the vehicle and identi	chicle to area of E d vehicle. Office fied them as susp	ast 28 <sup>th</sup> Street r Harward poi ects. Officer I	and "F" Avenue were hated at a white male and Harward said the driver	ath on "F" Avenue. Officer had had d female sitting on the ground near, a Hispanic male wearing a dark direction of travel taken by the
Reporting Officer		Division	Approved By	Date of Report   Time

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Reporting Officer	ID#	Division	Approved By	Data of Dayson	7:
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J. Tellez	300	COM SV	D C Table	0014410004	24.62
J. 1 GIIOZ	000	CONISA	R. G. Triviz	03/11/2004	21:52

Continged From CRIME	Offic	iego Regional cer's Report larrative		Page 2 of 2	Case No 0402679	
Code Section And Description (c	one incident only)	Date 03/11/2004		Day of Week THU	Time 11:49	A CONTRACTOR OF THE CONTRACTOR
Location Of Incident (Or Addres 620 East 24th Street (South Par			City NATION	IAL CITY	District	Beat 200
Person(s) Involved: Victim Harward, Daniel						
Suspect (If Named) Ortiz, Richard						
Property Tag No.(s)						

#### Officer Chris Miller:

Officer Miller said he and Officer Harward approached the location of the suspect vehicle on foot. Officer Miller saw the vehicle backing out of a parking stall and then suddenly sped forward, westbound through the parking lot towards them. The vehicle sped through the lot and at one point the vehicle "lurched" at Officer Harward. Officer Harward fired his weapon at the suspect vehicle, as did Officer Miller. When asked how many rounds he fired at the Officer Miller removed the magazine from his holstered weapon and said he fired about six rounds. Officer Miller told me he fired at the vehicle tracking it as it passed him. He said his line of fire was in an eastern to southern direction as the vehicle drove passed him.

Officer Miller said there were multiple suspects in the vehicle however he was unable to provide a description of the suspects to me.

As I interviewed Officer Miller, I heard over the police radio that a suspect had been taken into custody from 631 East 28<sup>th</sup> Street. Uniformed officers walked the handcuffed individual to a marked patrol unit that was parked in the 2700 block of "F" Avenue, near the scene of the collision. Officers Miller, Harward, and I were standing in the entrance of a school parking lot along the south curb line of East 28<sup>th</sup> Street, about seventy feet away from the unit the suspect was taken to. Officer Miller could not identify the individual as a suspect however, Officer Harward said "that's him" when I asked him to look at the individual for identification purposes. The suspect, who was wearing a dark beanie, was identified as Richard Ortiz.

At this point in time in the interview, Detective Sergeant Triviz arrived at my location. Due to the fact we were short of personnel at the East 28<sup>th</sup> Street and "F" Avenue crime scene, Sergeant Triviz took over the interview of Officer Miller. Sergeant Triviz escorted Officers Harward and Miller to the scene of the shooting. Refer to his report for additional information. I remained at the scene coordinating the transport of witnesses to the station by police personnel. I left the scene about two hours later after Officer Ybarra and Dougherty were assigned to the scene. Refer to their reports for additional information.

End of Report. J. Tellez, Sgt.

Reporting Officer J. Tellez	ID#	Division COM SV	Approved By	Date of Report	Time
J. Tellez	300	COM SV	R. G. Triviz	03/11/2004	21:52

Cantinued From: CRIME	San Diego Officer's Narr	Page 1 of 1	Case No 0402679			
Code Section And Description (	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 1149	
Location Of Incident (Or Address 620 E. 24TH STREET			City NATION	VAL. CITY	District	Beat 246
Person(s) Involved: Victim HARWARD, D Suspect (if Named) ORTIZ, RICHARD Property Tag No.(s)			distriction of the second of t			

### Officer's Report

On 03-11-04, at approximately 1549 hours, I was assigned to assist fellow officers with transporting patrol vehicles from the intersection of E. 28<sup>th</sup> Street and "F" Avenue back to NCPD. Upon arrival, I was directed by Officer Geidel to drive NCPD patrol vehicle #437 back to NCPD. During this time, I learned that vehicle #437 had been assigned to Officer Harward. After speaking with Sergeant Harlan, I was instructed to secure vehicle #437 in the underground parking garage at NCPD. I locked the vehicle and left all of Officer Harward's personal items inside.

### **End** of Report

This report was completed on 03-12-04 at approximately 0406 hours.

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
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Contin-ed Front OTHER Supplemental	San Diego Reg Officer's Rep Narrative	Page 1 of 1	Gase No 0402679		
Code Section And Description PC / 245A1 / ASSAULT W/DE/ Location Of Incident (Or Address 600 E. 28th Street	Date 03/11/2004	Day of Week THU City NATIONAL CITY	Time 11:50 District	Beat 240	
Person(s) Involved: Victim Suspect (If Named) Property Tag No.(s)		A STATE OF THE STA		and the second s	

### OFFICER'S SUPPLEMENTAL REPORT

On March 11, 2004, at about 1150 hours, I heard Officer Miller broadcast over the radio that a traffic collision just occurred and there were "shots fired." As a result, I began to respond to the 600 block of E. 28<sup>th</sup> Street to assist Officer Miller. I responded from the 1200 block of E. Plaza Boulevard. Upon my arrival, I was ordered to take a position to prevent the suspect, who fled as a pedestrian, from escaping. I posted in the 2500 block of Highland Avenue. Several minutes later the suspect was taken into custody on E. 28<sup>th</sup> Street. As a result the perimeter was no longer needed. NCPD Dispatch immediately began assigning me to calls for service unrelated this incident. I had no further involvement in this case.

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
KSpringer	389	PATROL	R. G. Triviz	03/11/2004	15:59

# SAN DIEGO REGIONAL ADDITIONAL VICTIMS AND/OR WITNESSES

	AND OTH	IER PEOPLE A	SSOCIATED WIT	H THE CRIME	: PAGE	CASE NUMBE 04020	
LOCATION OF INCIDENT (OR ADDRE	:SS)	The control of the second	remarks v. v. v. v. v. v. 45 vorthemer v. v. 41 v. v. Av	a spanner - p	and the second s	~	* · · · · · · · · · · · · · · · · · · ·
City			DEAT	DISTRICT	*****		
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Code Section And Description (	one incident only) URDER/DEGREE UNSPECIFIED	Dale 03/11/2004	***************************************	Day of Week THU	Time 11:49	
Location Of Incident (Or Addres			City	IAL CITY	District	Beat 240
Person(s) Involved: Victim HARWARD, DANIEL Suspect (If Named) ORTIZ, RICHARD						
Property Tag No.(s)						

### OFFICER'S SUPPLEMENTAL

On 03-11-04 at about 1149 hours, I was at the police station monitoring my police radio when I heard as Officer Harward and Miller had located a reported stolen vehicle to the rear parking lot of 620 E. 24<sup>th</sup> Street. The vehicle also had been reported as being taken in a carjacking from the victim by knifepoint.

A few seconds later, I heard an officer in a frantic tone radio that shots had been fired and the suspect vehicle had collided in the intersection of E. 28<sup>th</sup> Street and "F" Avenue. I immediately left the station to respond to the location of the reported shooting. I responded with my emergency lights/siren.

While enroute, Officer Harward radioed the suspect driver had fled eastbound from E. 28<sup>th</sup> Street. Sergeant Harlan radioed for responding units to begin to set up a perimeter to attempt to locate the outstanding suspect. I was directed to the intersection of E. 26<sup>th</sup> Street and "F" Avenue for both a position and to block traffic into an area, which would be a crime scene.

A few minutes later, Parking Enforcement Officer Ray Crawford arrived at the scene and offered to take my position, so I would be able to assist in some other fashion.

I drove northbound on "F" Avenue to check for the shooting crime scene. On the southwest parking lot to "The Royal Apartments," 620 E. 24<sup>th</sup> Street, I saw two White male adults on the sidewalk area pointing into the parking lot. I stopped and looked to see what they were pointing at. I noticed several casings on the ground. I parked my police vehicle on the southwest driveway of the parking lot. I exited my vehicle at the same time Sergeant Harlan arrived to this location. I pointed out the casings to him. Sergeant Harlan directed me to close off the area using yellow crime scene tape. I placed the police yellow tape blocking the eastern driveway to the sidewalk, which meets the perimeter fence next to Olivewood Elementary School. I then placed another tape to the east side of the apartment complex building. I remained in this area preserving the crime scene.

Reporting Officer A. HERNANDEZ	ID #	Division	Approved By	Date of Report	Time			
	376	COM SV	R. G. Triviz	03/12/2004	10:23			

Continued From: CRIME	San Diego Officer's Narr	Page 2 of <sup>2</sup>	Case Nu 0402679			
Gode Section And Description ( PC / 187*664 / ATTEMPTED M Location Of Incident (Or Address	URDER/DEGREE UNSPECIFIED	Date 03/11/2004	Cily	Day of Week THU	Time 11:49 District	Beat
620 E. 24TH STREET (TO THE Person(s) Involved: Victim HARWARD, DANIEL	SOUTHWEST PARKING LOT)		NOTTON	IAL CITY		240
Suspect (If Named) ORTIZ, RICHARD Property Tag No.(s)		and the state of t		and the second s		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,

A short while later, Detective Grande arrived at the scene and instructed me to begin a log of everyone entering and leaving the crime scene area.

The following area the times and police personnel who entered the crime scene:

- 1224 hours- Detective Grande on the scene
- 1230 hours- CSS A. Chavez and P/E specialist A. Flores on the scene
- 1245 hours- CSS A. Chavez and P/E specialist A. Flores out of the scene
- 1330 hours- Detective's Remmers, Grande, Hart, Gelskey, Nagle, P/E specialist Flores, U.S. Customs Agent J. Steeber (#56189) on scene
- 1346 hours- All the above personnel out of scene.
- 1438 hours- Detective Gelskey and P/E Flores on the scene
- 1500 hours- P/E Flores out of scene
- 1515 hours- Detective Gelskey is out of scene
- 1530 hours- Detective Gelskey and P/E Flores on the scene
- 1640 hours- Detective Gelskey instructed me to open the crime scene and close out the scribing.

END OF REPORT
A. HERNANDEZ #376
03-12-04

Reporting Officer	ID#	Division	Approved By	Date of Report	l Time I
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A. HERNANDEZ	376	COM \$V	R. G. Triviz	03/12/2004	10:23
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Person(s) Involved: Victim HARWARD, DANIEL Suspect (If Named) Property Tag No.(s)					A STATE OF THE STA		

### Officer's Supplemental Report

On 03-11-2004, at about 1149 hours, I heard Officer D. Harward broadcast that he had located a vehicle that had been involved in a carjacking. Officer Harward broadcast his location at 620 of E. 24<sup>th</sup> Street. At about 1150 hours, I heard Officer Harward broadcast "Shots Fired" and "the suspects are running eastbound on E. 28<sup>th</sup> Street from Highland Avenue." I responded with my overhead emergency lights and siren toward E. 28<sup>th</sup> Street and Highland Avenue.

On arrival, I saw numerous police units on scene and realized the incident was near Sweetwater High, located at 2900 Highland Avenue. Additionally, Olivewood Elementary, located at 2505 "F" Avenue was also near this incident.

I later heard Officers broadcast, all suspects involved in this incident were in custody, therefore,

Officer S. Shanahan was assigned as the "Case Agent" for this incident. Refer to Officer Shanahan's crime report for additional information.

End of Report Officer S. Villariasa #380 Community Service Bureau

Reporting Officer S. VILLARIASA	ID#	Division	Approved By	Date of Report	Time
	380	COM SV	R. G. Triviz	03/11/2004	17:46
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Continued From: CRIME	San Diego Regional Officer's Report Narrative			Page 1 of 2	Case Nu 0402679	
Code Section And Description (one incident only) PC / 187*664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED Date 03/11/2004				Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 East 24th Street	s)		City NATION	AL CITY	District	Beat 240
Person(s) Involved: Victim						
Suspect (If Named)						
Properly Tag No.(s)						

### OFFICER'S SUPPLEMENTAL REPORT

### **ORIGIN:**

On 03-11-04 at 1150 hours, Officers located a reported carjacked vehicle at 620 East 24<sup>th</sup> Street. The Officers advised that the vehicle had attempted to run them over and shots had been fired. A brief pursuit ensued, ending in a collision at East 28<sup>th</sup> Street and "F" Avenue. The suspect driver fled the scene on foot. I responded to the scene at about 1200 hours to assist.

### **INVESTIGATION:**

On the above date and time, I was dressed in plainclothes (shirt and tie) and in an unmarked police vehicle. I responded to the scene at East 28<sup>th</sup> Street and "F" to assist. Officer Ybarra was with me.

While at the scene, officers determined the suspect driver was possibly hiding in a yard at 631 East 28<sup>th</sup> Street. The suspect was described as a Hispanic male, about 22 years old, wearing a light blue shirt and a multi-colored beanie.

I checked the rear yard of 631 East 28<sup>th</sup> Street with Officer M. Gonzalez, Officer Hart, and Officer Wilkins. 631 East 28<sup>th</sup> Street is an unoccupied residence. The front, rear and side yards are in a poor state of repair and overgrown with weeds. We checked the rear yard, including two detached sheds and determined the suspect was not in the rear yard.

Officer Hart located a subject matching the suspect's description hiding in the overgrown weeds on the west side of the residence. Officer Hart was pointing his rifle at the subject and was yelling at him. The subject was laying in the weeds and was almost completely concealed. However, I could see the subject was wearing a light blue shirt. There was a wooden fence (approximately six feet tall) separating us from the subject.

Officer Gonzalez jumped over the fence and began attempting to take the subject into custody. Officer Gonzalez yelled that he could not see the subject's hands. I jumped over the fence and landed by the subject's head. The subject was not complying with orders to put his hands behind his back.

Reporting Officer DOUGHERTY	ID #	Division	Approved By	Date of Report	Time
	367	NPT	R. G. Triviz	03/11/2004	18:56
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Continued From: CRIME	San Diego Regional Officer's Report Narrative		Page 2 of <sup>2</sup>	Case Nu 0402679	
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Location Of Incident (Or Address) 620 East 24th Street			City NATIONAL CITY	District	Beal 240
Person(s) Involved: Victim					
Suspect (If Named)					
Property Tag No.(s)					

Because the weeds were so thick, I could not see the subjects hands and he was not putting them behind his back. I assisted Officer Gonzalez in locating the subject's hands and placing them in handcuffs.

Once the subject was secure in handcuffs, Officer Gonzalez and Officer Wilkins walked the subject to a police car.

I further assisted by providing scene security for the residence at 631 East 28<sup>th</sup> Street pending investigation by NCPD detectives.

For further information, refer to attached reports.

Report completed on 03-11-04 at 1850 hours.

### NATIONAL CITY POLICE DETECTIVE SUPPLEMENTAL

I heard office been fired. Tellez who	at about 1750 hrs, I overheard radio traine on my National City Fonce radio. ers in a foot chase and also heard the broadcast of information that shots had I responded to the scene at East 28 <sup>th</sup> St and F Ave. Upon arrival, I met Sgt. informed me that a male in a green might have seen an suspect run away. I spoke with the male briefly (identified as
crasl north and a	stated that he was seated in his vehicle in the 600 block of East 28 <sup>th</sup> St in he saw a speeding driving south on F Ave. The med into a "Lowrider" and the driver of the took off running on the in sidewalk. The male was a Hispanic male wearing a blue "beanie" style cap a blue shirt. The male ran east on E 28 <sup>th</sup> St and then north on the west side of idence at 631 East 28 <sup>th</sup> St.
scene. The Gundert (NO I then asked (later identification)	d over to a male being treated by NCFD rescue personnel at the accident male appeared to be a white male with longer brown hair. I heard Captain CFD) state to someone else, "It appears to be a caliber gunshot wound." the male, "What's your name". He said, 'Cartain 'I then asked him, fied as "Who shot you?" told me, "The police". stated, "I wasn'tdoinganything" or something similar. His response I due to the oxygen mask on him.
officers wen	f officers were assembled to search for the outstanding driver. Several to 631 East 28 <sup>th</sup> St. I entered the backyard and eventually looked over the to the front yard on the west side of the residence. I looked down into the

A number of officers were assembled to search for the outstanding driver. Several officers went to 631 East 28<sup>th</sup> St. I entered the backyard and eventually looked over the fence line into the front yard on the west side of the residence. I looked down into the overgrown side yard and saw something blue inside the grass. Thinking it was the hiding suspect I told him to put his hands up or he might get shot. Two hands appeared out of the grass.

Other officers ran to assist including Officer Manuel Gonzales. Gonzales was able to get one of his hands back while other officers struggled to retrieve his hiding hand. The male was later identified as Richard Ortiz. Ortiz was escorted away.

I then assisted Detective Grande with searching for evidence. See Detective Grande's report for further details.

Levi Hart #35# MCPD Investigations

# NATIONAL CITY POLICE DETECTIVE SUPPLEMENTAL

On 0	31204, I was assisting National City Police Detectives in the 2500 block of F
Aver	and took her statement regarding the activity on 031104 outside her home.
WIT	NESS STATEMENT:
	(Witness)
	stated she was inside her residence washing dishes around noon on 031104. While washing dishes, the heard what sounded like gunshots outside her residence to the east. The heard about 8 loud popping sounds in a rapid succession. The ducked down on the floor and crawled to her son's room.
	waited about three or four minutes and then looked out her son's window toward the south and east. Use did not see anything and opened her front door. Constitution on F Ave and saw some vehicles near the high school. It appeared the vehicles were involved in an accident (she could not provide further details of the accident, i.e. vehicle descriptions). Saw a police vehicle near the collision. Constitution did not see or hear anything else.
	did not see the shooting, or hear any yelling prior and after the gunshots.  did not hear any vehicles driving rapidly.  said it was quiet and peaceful prior to hearing gunshots.

Levi Hart #354 NCPD Investigations

Continued From: OFFICER'S REPORT ONLY	San Diego Ro Officer's R Narrativ	Page 1 of 4	Case Nt 0402679			
Code Section And Description (one incident only) PC / 187A*664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED Location Of Incident (Or Address) City 600 E. 28th St. NATI				Day of Week MON TIONAL CITY	Time 12:24 District Beat 240	
Person(s) Involved: Victim Suspect (If Named) Ortiz, Richard Property Tag No.(s)						

### **ORIGIN:**

On 031104 at about 0930 hours, Officer Shanahan took a report of a Robbery, which had occurred on 031004.

### **INVESTIGATION:**

On 031104 at about 1150 hours, I heard Officer Miller say over the radio that shots had been fired. I heard over the radio that an officer was needed to take a state at the intersection of 28<sup>th</sup> St and Highland Av. I took up a position at the above intersection. I heard over the radio that a male suspect had committed a Robbery. He was wearing a multi-colored beanie cap and a light blue shirt. Several San Diego County Sheriff's Department Deputies arrived at my location. Sgt. Tellez told me over the radio to go to the intersection of East 28<sup>th</sup> St and "F" Av to assist. I asked one of the deputies to take up my perimeter, which she did. I went to the intersection of East 28<sup>th</sup> St and "F" Av.

Upon my arrival there, I walked up to Officer Wilkins. Officer Wilkins said he needed assistance in searching a back yard in the 600 block of East 28<sup>th</sup> St because he had received information that the suspect had gone into the yard of a vacant house. Officer Wilkins pointed out the house to me. It was just west of the house at the northwest corner of East 28<sup>th</sup> St and "G" Av. I told Sgt. Harlan over the radio what Officer Wilkins told me. Sgt. Harlan told me that a witness had told Detective Hart that the suspect had ran toward East 28<sup>th</sup> St and "G" Av.

Detective Hart, Officers' Wilkins, Dougherty and I went to the East Side of the house. We entered the back yard through the East yard. I was advised by one of the officers that the suspect had committed a Robbery with a knife and that he had swerved his vehicle at Officer Harward. I was also told that he was a Hispanic male. We searched the backyard, however we did not find anyone. I saw Detective Hart walk over to the southwest corner of the backyard. I then heard Detective Hart yelling at someone. I saw Detective Hart pointing his Rifle at the suspect. I climbed on top of the west part of the wooden fence. I looked onto the ground on the West Side of the house. I could see a body stretched out. The body was facing northbound. I could only see the backside of the body and it appeared that the body was face down. The upper part of the body was hidden by overgrown grass. I pulled out my duty weapon.

Reporting Officer	ID#	Division	Approved By	Date of Report	Time			
Gonzales, M	330	PATROL	D. J. Grande	03/18/2004	07:12			

Configued From: OFFICER'S REPORT ONLY	San Diego Officer's Narra	Report		Page 2 of 4	Case Nu 0402679	
Code Section And Description ( PC / 187A*664 / ATTEMPTED	one incident anly) MURDER/DEGREE UNSPECIFIED	Date 03/15/2004		Day of Week MON	Time 12:24	
Location Of Incident (Or Addres 600 E. 28th St	(8)		Gily NATION	IAL CITY	District	Beat 240
Persan(s) Involved: Victim						
Suspect (If Named)						
Ortiz, Richard		<del></del>				
Properly Tag No.(s)						

I could hear officers yelling at the subject on the ground. I saw Sgt. Harlan standing several feet away from the subject. Sgt. Harlan yelled over to me to jump over the fence, to let other officers know what I was doing for my safety. I jumped the fence and landed at the lower end of the subject's body. I could hear the subject crying. I could not see the subject's upper body, from the back up. I could see that the subject had on a light blue shirt and black pants. I could not see the subject's hands. I put my weight on the upper part of the subject's body. I yelled out to other officers that I could not see his hands. Officer Dougherty came up to me to assist me in handcuffing the subject. I was able to put my hands into the grass and pull his right hand away from what felt like the right side of the subject's head area. I had to pull on the right hand to get it behind the subject's back, because the subject would not pull it away from the head. I yelled out that I had hold of one hand. I then yelled out that I could not see the other hand. I reached into the grassy area, near the left side of the subject's head. I was able to grab hold of the left hand. However, I had to pull on it also, because the subject would not pull it away from the head. I put the left hand behind the subject's back and was able to handcuff the subject.

Other officers and I stood the subject up. It was then that I was able to see that he was a Hispanic male. He was covered in grass. I could now see that he had on a black beanie cap, with a logo on it. I later discovered that this logo was of a subject with a big head and big eyes. It was silver in color. I quickly patted the male down for weapons. He did not have any weapons on him.

At the same time I did this, I pulled on the male's pants to keep them from falling off. Officer Wilkins and I walked the male, who was later identified as Richard Ortiz, to my patrol vehicle.

Officer Wilkins searched the male incident to his arrest. Officer Wilkins found what appeared to be the tube of a pen. It had black electrical tape on it and was bent at one end. It appeared to be the shape of a pipe. I have about 70 formal hours of narcotics training, including training from the California Narcotics Officers Association. I have seen hollowed out pens in the past, which were used to snort drugs through. I have also seen devices in the past, which were made in the shape of a pipe, to smoke drugs through.

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
Gonzales, M	330	PATROL	D. J. Grande	03/18/2004	07:12
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Code Section And Description (c PC / 187A*664 / ATTEMPTED N Location Of Incident (Or Address 600 E. 28th St	NURDER/DEGREE UNSPECIFIED	Date 03/15/200	City	Day of Week MON NAL CITY	Time 12:24 District	Beat 240
Person(s) Involved: Victim Suspect (If Named) Ortiz, Richard Property Tag No.(s)						

I checked Ortiz' pulse to make sure he was not under the influence of any controlled substances. His pulse was normal. I compared his pupils to my Pupilometer Card. His pupils were normal.

I transported Ortiz to the police station for processing. The entire time Ortiz continually cried and yelled. I did not ask him any questions. He made several voluntary statements. He continually yelled, "Oh my God." He also said, "I'll be killed by my family. Oh please sir. I'm sorry. This is bullshit. How come I'm the only one getting arrested. I want to talk to my lawyer. I just tried to get some money back for my family. Please forgive me. I want to call my lawyer."

Once at the station, Ortiz calmed down. As I was walking him through the holding facility, Ortiz said, "I was doing so good too sir. I shouldn't of gone there."

Based on the fact that Ortiz said he wanted a lawyer, I did not read him his Miranda Rights. I processed him at the police station.

I asked Ortiz if he was injured. He showed me his right forearm. It was scraped up. I asked him how he got the injuries and he said he did not know. I then asked him if he had any other injuries and he said, "That's it." I had him take off his shirt. I could see that he had more scrape marks on his left arm, his stomach and back area. I did not locate any other injuries. I took digital film of his injuries and his clothing. I took out the disc and impounded it into evidence at the police station. I took all his clothing from him for evidence. He did not have any underwear. I gave him a paper suit, which he put on. The paper suit covered him from neck to feet.

Ortiz was later transported to county jail and booked.

### **EVIDENCE:**

Tag #I0020025 One beanie cap. One light blue shirt. One black pair of pants. One belt.

One pair of black shoes.

Tag #I0020026 One plastic tubing of a pen.

Tag #I0020027 One disc.

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Reporting Officer	ID#	Division	Approved By	Date of Report	Time
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i Gonzales, M	330	PATROL	D. J. Grande	03/18/2004	07:12
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Continued From: 'OFFICER'S REPORT ONLY	San Diego Officer's Narra	Report		Page 4 of 4	Case Ni 0402679	
Code Section And Description (one incident or PC / 187A'664 / ATTEMPTED MURDER/DEG Location Of incident (Or Address)		Date 03/15	/2004   Gily	Day of Week MON	Time 12:24 District	Beat
600 E. 28th St Person(s) Involved: Victim		e i British de la companya de la com	NATIC	NAL CITY		240
Suspect (If Named) Ortiz, Richard						
Property Tag No.(s)						

### <u>INJURY</u>:

Ortiz sustained scrape marks on his right forearm, left arm, stomach and back area.

## **RELATED REPORTS:**

See the Crime Case #0402679 by Officer Shanahan for further details.

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
Gonzales, M	330	PATROL	D. J. Grande	03/18/2004	07:12

Continued From: OFFICER'S REPORT ONLY	San Diego R	tegional				
OFFICER & REPORT ONLY	Officer's Report			Page	Case Number	
	Narrat	ive		1 of 2	0402679	
Code Section And Description (	one incident only)	Date 03/11/2004		Day of Week TitU	Time 11:50	
Location Of Incident (Or Address 620 E 24TH ST	URDER/DEGRÉÉ UNSPECIFIED (s)		City NATIONA	AL CITY	District	Beat 240
Person(s) Involved: Victim HARWARD, DANIEL 2 Suspect (If Named)						
ORTIZ, RICHARD Property Tag No.(s)						

### Detective follow-up

On 03-12-04, I met with Ray Crawford at NCPD and interviewed him reference this case. I tape recorded and videotaped this interview. I later impounded the tapes at NCPD.

### Statement of Ray Crawford: (Witness)

Crawford is employed by the city of National City as a Parking Enforcement Officer. He is assigned to write parking citations to vehicles within the city. He wears a light blue uniform and has National City Parking Enforcement patches on his shoulders. He either drives a white and blue parking enforcement scooter or he rides with a partner in a white city Ford Ranger truck. On 03-11-04, he was in uniform and riding with Sheila Carranza in the white city truck. Carranza is also a city employee responsible for citing and impounding vehicles in the city. Crawford had marked vehicles for 72 parking violations earlier in the week. So in order to impound the vehicles, he teamed up with Carranza.

They were patrolling the area on the west side of the city. Crawford had received complaints from business owners that people were illegally parking in the west alley of 1800 Wilson Ave. At about 1110 hours, Carranza drove into the alley and Crawford saw two cars parked in the alley. He started writing a ticket to the first vehicle, which was a black Dodge Avenger. He also saw a blue parked in the alley.

Crawford saw the driver of the get out. He also saw a person in the right front passenger seat but could not provide a description. He saw another person in the back seat. He thought the rear passenger was a female because at one point, she stuck her arm out the rear passenger window. Crawford saw her arm had silver bracelets on them. Crawford

The driver walked up to Crawford, Crawford thought the driver appeared nervous because he was fidgeting. The driver told Crawford that if they were causing problems, they would move. He said they were having problems with the radio and it was smoking. The driver continued and said they could move their car if needed and would move to the trolley station parking lot. Crawford explained that he would like them to move because he did not want to seem unfair by giving a ticket to one car and not the other. Crawford said the driver was very appreciative and agreed to move. Their contact lasted about two to three minutes.

Crawford thought this activity was very strange. He said the driver did not act like a guy who normally receives a break on getting a parking ticket. Crawford said the driver was overly appreciative. Crawford said most people say they will be done working on their car momentarily and ask for a few minutes to finish. Crawford said the driver was overly willing to move. Crawford and Carranza even talked about how odd the driver was. Carranza even had NCPD dispatch run a records check on the which initially showed the car was not stolen.

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
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Continued From: OFFICER'S REPORT ONLY	San Diego Officer's Narra	Report	Page 2 of <sup>2</sup>	Case Number 0402679
Code Section And Description (	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004	Day of Week THU	Time 11:50
Location Of Incident (Or Addres 620 E 24TH ST		Cit NA	y TIONAL CITY	District Bea 240
Person(s) involved: Victim HARWARD, DANIEL 2 Suspect (if Named) ORTIZ, RICHARD				
Property Tag No.(s)		Annual relative specific control of the control of		

Carranza and Crawford backed out of the alley so the could back out. Crawford saw the driver backing out of the alley and saw he was weaving as he backed up. Crawford thought the driver may have been driving too fast and that he was loosing control or he thought he may have been under the influence of something. Carranza and Crawford later returned to NCPD and Crawford got into his scooter. NCPD dispatch then asked Carranza if the was occupied when she ran the plate and she said it was. NCPD dispatch said the car was stolen. While at NCPD, Crawford talked with Officer Shanahan who told him the car was used in some sort of crime the night before. Crawford told Officer Shanahan about the driver saying he was going to the trolley station. Crawford drove from NCPD and checked the area of 1800 Wilson for the He later heard that there were shots fired and a collision involving the and other NCPD officers. He drove to 26<sup>th</sup> St. and D Ave. and conducted traffic control by not allowing vehicles or people into the area.

Crawford described the driver as a Hispanic male, 5-06 to 5-07, 220 to 230 pounds wearing a dark beanie. Crawford was not sure if he could recognize a photo of the suspect again due to the beanie. I showed Crawford a photo line up, with Ortiz depicted in number five. He said he did not want to pick the wrong person so he was not able to select Ortiz in the line-up.

1	Reporting Officer	ID#	Division	Approved By	Date of Report	Time
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Continued From: OFFICER'S REPORT ONLY	San Diego Officer's Narra	Report		Page 1 of <sup>1</sup>	Case Nu 0402679	
Code Section And Description (	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 E 24TH ST			City NATION	IAL CITY	District	Beat 240
Person(s) Involved: Victim HARWARD, D Suspect (If Named) ORTIZ, RICHARD Property Tag No.(s)						

Detective rollow-up
On 03-12-04, I was assisting Detective Rounds in the follow up investigation reference this case. Detective Rounds was interviewing at the scene of the shooting. During his interview, told him that the male who was operating the garage sale on the north side of the apartment complex was the person who the suspect, Richard Ortiz, had been talking with just prior to the shooting. I talked with the male, who identified himself as tape recorded our conversation and later impounded it at NCPD.
Statement of (Witness)
lives at the last He has known a male named "Richard" for about six to seven years. He has gotten to know Richard over the years because he has been passing through apartment complex. On 03-11-04, at about 1145 hours, Richard approached with a CD player and they began talking. During their conversation Richard said, "I'm riding a Richard then said he wanted to sell the CD player. He said he wanted \$40.00 for the player. Said he would give him \$10.00 and Richard accepted.
Richard was looking all around and looking around corners. Under did not see anybody else with Richard. Based on Richard's actions, he thought Richard was up to something. Daid Richard for the CD player. Richard left and walked to the back (south) parking lot. Dater heard rapid gunshots coming from that area. Another male, later rode up to the common a bicycle and said Richard had stolen his car and tried to run him over and run over the officers. The officers then rode off on his bicycle.
still had the CD player that he purchased from Richard. He had it displayed at the garage sale. Said I could take it so I collected it and later impounded it at NCPD. I showed a photo line up depicting Ortiz in number five. Spointed to number five and said, "That's Richard."
TAG # 20076- CD Player

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
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	Narrative	•	Page 1 of 1	Gase Numb 0402679	ier i
Code Section And Description (one in PC / 187*684 / ATTEMPTED MURD		Date 03/11/2004	Day of Week THU	Time 11:50	
Location Of Incident (Or Address) 620 E 24TH ST		Cit	y TIONAL CITY		leal 40
Person(s) Irrvolved: Victim			illitelikeriana na manamatani migatahan mani kanami ke kelililiki dalam Mari A		
Suspect (If Named) ORTIZ, RICHARD		y	- Wilder		
Property Tag No.(s)		agana,			
-	Detective Follow-up we Rounds and I interviewed I later impounded the tapes at NCPD.	at NCPD re	eference this case	. I video and	d
Statement of	(Witness)				
drive off. He drove about one skidding was to him. His car car (V-2) spun not even though it had come to a  The driver of the his driver door but it would not then saw on the grouwhite male who had been help leg." There was a female that  The officers were also up the street. He heard that we later saw the driver of the was the driver that crashed intwhite, 23 to 24 years old. He is thought the female that said slitters.	off at Sweetwater High is to two feet and heard skid marks. He had was then hit on the left/rear side by a blue orth/west. The heard the engine of the stop by smashing into his car.  opened the driver door and ran east of open so he got out the passenger door. It are ped out of V-1 and placed on the ground. Was there, who was saying she was also in there and them saying the heard them saying the heard them saying the heard them saying the heard aponytail and dirty blonde hair. He was in the car was a "tweeker" based of diglasses, either prescription of regular sure	bound on 28 <sup>th</sup> S He saw the police drun northbour This male was y nside the car.  at the the driver tried the driver tried the that was contact that was contact that was contact that many that ma	t. (1) tried to approaching on and on F Ave. The relling, "I'm gonn was stolen and he to run them over ear-by house. (1) tring blue jeans.	and started to ow close the ront of res squealing to get out of F Ave. He re was anoth a loose my ad been par said to	to he he her her her

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Code Section And Description (		Day of Week	Time			
PC / 187*664 / ATTEMPTED M		THU	11:49			
Location Of Incident (Or Addres	City		District	Beat		
620 East 24th Street			NATION	IAL CITY		244
Person(s) Involved: Victim						·
Harward, D						
Suspect (if Named)						
Ortiz, Richard						
Properly Tag No.(s)						

### **OFFICER'S SUPPLEMENTAL**

On Thursday, March 11, 2004, at about 1149 hours, I was working as uniformed police officer assigned to the community services bureau. On this date, at about this time, I monitored radio transmissions regarding Police Services Officers sighting a black that had been stolen the previous night by method of carjacking. Officers Harward and Miller located the vehicle to the rear of 620 East 24<sup>th</sup> Street.

I responded from 933 'E' Avenue as I continued to monitor radio traffic. While en route, I heard Officer Harward in a distressed transmission state the suspect driving the stolen vehicle had attempted to run him down. He followed up his transmission by relaying that "shots were fired". Shortly after this transmission, Harward advised the vehicle sped away south on 'F' Avenue and collided with another vehicle in at the intersection of East 28<sup>th</sup> Street and 'F' Avenue. Immediately following the collision the suspect fled eastbound on 28<sup>th</sup> Street.

At the time I arrived in the area, I took a perimeter position in the 2700 block of Highland in order to contain the northeastern sector. Shortly afterwards, Officer Geidel arrived and relieved me, and I responded to the area of the traffic collision in the area of 2700 'F' Avenue. While standing in the 600 block of East 28<sup>th</sup> Street, I was informed by Detective Hart that witnesses had seen the driver of the stolen vehicle run east and then disappear in the yard of 631 East 28<sup>th</sup> Street. I later spoke with these (two) witness, who told me he had seen the suspect go towards this residence and he had most likely not left the area.

I gained the assistance of Officer Gonzales, Detective Hart, as well as Officers Dougherty and Ybarra to search the outer perimeter of the property located at 621 East 28<sup>th</sup> Street. As officers cleared the backyard and swept around to the side (west) yard of the property, Detective Hart located the suspect, Richard Ortiz hiding underneath brush. Without knowing Ortiz's identity at the time, I recognized that he matched the description of the outstanding suspect given by the pursuing officers. It appeared that Ortiz was so hunkered down in his position that it was difficult for Gonzales and the other officers to handcuff him.

After he was handcuffed, Ortiz while conscious and coherent, made his body limp, which made it difficult for officers to remove him from the area. With the assistance of Officer Gonzales, we held Ortiz up and carried him a few feet as we moved towards nearby police cars. As we walked Ortiz to the car he spontaneously began shouting, "I'm sorry, it's not my fault. They kidnapped me! They made me do it!" As we escorted Ortiz passed Officers Harward and Miller, they each separately identified Ortiz as the driver/suspect from the carjacking vehicle.

Once we reached Officer Gonzales' vehicle, I conducted a search of Ortiz' person. Among other miscellaneous items, I found a plastic makeshift smoking pipe that I recognized from my training and

Reporting Officer TWILKINS	ID #	Division	Approved By	Date of Report	Time				
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Continued From: CRIME	San Diego Officer's Narr	Page 2 of <sup>2</sup>	Case Nu 0402679			
Gode Section And Description ( PC / 187*664 / ATTEMPTED M	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:49	
Location Of Incident (Or Addres 620 East 24th Street	55)		City NATION	IAL CITY	District	Beat 244
Person(s) Involved: Victim Harward, D Suspect (If Named) Ortiz, Richard Property Tag No.(s)						

experience to commonly be utilized in the ingestion of narcotics. I turned over custody of these items to Officer Gonzales who later transported Ortiz to NCPD.

After	assisting	with	Ortiz,	I was	directed	by	Sergeant	Telle	z to
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Continued From: CRIME	San Diego Regional Officer's Report Narrative				Page 1 of 2	Case No 0402679	
Code Section And Description (one incident only) PC / 187*664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED 03/11/2004					Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 EAST 24TH STREET	9)	And the second s		City NATION	AL GITY	District	Beat 240
Person(s) Involved: Victim				<u> </u>			
Suspect (If Named)			```				
Property Tag No.(s)							

### OFFICERS SUPPLEMENTAL REPORT

### **ORIGIN:**

On 03/11/04 at about 1150 hours, I responded to 620 East 24th Street on a report of a police involved shooting. Officer Harward and Officer Miller where attempting to apprehend a suspect driving a stolen vehicle and fired shots at the car when the suspect Richard Ortiz tried to run them over. I arrived at the scene and assisted by blocking the westbound traffic on East 24<sup>th</sup> Street and Highland Avenue. While I the owner of the stolen vehicle, who told me he witnessed the was at my traffic post I was approached by shooting behind the apartment and was the one who found his car parked in the parking lot. I obtained the below listed statement from reference the shooting. After obtaining statement I cleared my traffic post and was ordered to drive him to NCPD and wait with him and several other witnesses until they could be interviewed by detectives. STATEMENT: said he reported his car stolen about an hour prior to the shooting. Was riding his bike to see a friend near East 24<sup>th</sup> Street and Highland Avenue. Passed through the apartments located in the 600 block of East 24<sup>th</sup> Street next to the roller skating rink on his way. Saw his car parked in the rear parking lot of the apartments with a white male and female he did not know. approached the car and asked the male passenger where "Richard" was. was told that he went into one of the apartments. decided to ride over to his friends house and get help so he could get his car back. As he rode around the front of the apartments he saw two police officers standing on the corner of East 24<sup>th</sup> Street and F Avenue. rode over to the officers and told them his stolen car was parked behind the apartments. The two police officers walked toward the back of the complex and decided to ride around the other side of the building. behind the apartments before the police officers and he saw "Richard" seated in the driver's seat inside his car and was starting the engine.

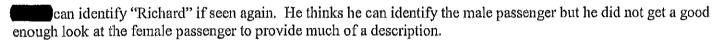
Reporting Officer	ID#	Division	Approved By	Date of Report	Tinie
Scott Shanahan	393	PATROL	D. J. Grande	03/12/2004	23:35

yelled for "Richard" to leave the car and get out. "Richard" said, "No wait! I want to talk to you! Come over stepped between two parked cars and watched "Richard" back the car out of the parking space.

"Richard" saw the two police officers walking up when he was backing out of the stall..

Continued From: CRIME	San Diego Officer's Narr		Page 2 of <sup>2</sup>	Case Nu 0402679		
Code Section And Description ( PC / 187'664 / ATTEMPTED M	1	Day of Week THU	Time 11:50			
Location Of Incident (Or Address 620 EAST 24TH STREET	Gity NATIONA	L CITY	District	Beat 240		
Person(s) Involved: Victim Suspect (If Named) Property Tag No.(s)						

saw "Richard" accelerate and swerved toward the shorter of the two officers who was standing to the right of the car. The car came within about two or three feet of the officer who backed up and fired a shot at the car. When the car passed the first officer, "Richard" swerved toward the second taller officer who was standing left of the car. The second officer had to jump out of the way to avoid being hit and also fired his gun at the car.
saw "Richard" drive off southbound on F Avenue and out of sight. believed "Richard" was intentionally trying to run down the two police officers as he left the parking lot.



	described "R	ichard" as	being a Hispa	anic male ad	lult, 26 to	27 years	of age,	5'11" ta	11, 220	to 225	pounds,	shaved
head,	clean shaven,	light comp	olexion, musc	ular to fat b	ui <u>ld,</u> wea	uing silve	r wire r	immed g	glasses,	black t	t-shirt, bl	lack
pants	, white shoes.	"Richard"	used to live a	at <b>at</b>		in Natio	nal City	<b>y</b> .				

	doconi	had the rice	ht front male pass	anger in his	car ac bain	n a white n	nola adult	25 to 30	Vegre	6'0" tall	160 to
	descri	oca me mg	itt trom maic pass	ongo in me	s car as ocm	g a willio i	maic acidity	25 10 50	years,	O O LEGIL	, 100 10
165 n	ounde	thin build	light complexion	unshaven	blonde hair	wearing a	Light colo	red tank t	nn		
IVJ D	Chilithia.	TITILI CALITACH	TIMEST CONTRICTOR	* MITCHING ANTI	CIVITAN HALL	ALCHETTIC O		twa turns	rest in		

described the female passeng	ger as being a	female, with	long hair NFD.
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Continued From: OFFICER'S REPORT ONLY	San Diego Officer's Narra	Report		Page 1 of 2	Case Nt 0402679	
Code Section And Description (one PC / 187*664 / ATTEMPTED MUR		Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Address) 620 E 24TH STREET			City NATION	NAL CITY	District	Beat 246
Person(s) Involved: Victim HARWARD, D			-4			
Suspect (If Named) ORTIZ, RICHARD						
Property Tag No.(s) 10019600					All the second s	

Reporting Officer	ID#	Division	Approved By	Date of Report	Time	
E.CORDERO	336	INV	D. J. Grande	03/12/2004	09:22	

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Code Section And Description ( PC / 187*664 / ATTEMPTED M	one incident only) URDER/DEGREE UNSPECIFIED		Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Address) 620 E 24TH STREET				Cily NATION	AL CITY	District	Beat 246
Person(s) Involved: Victim HARWARD, D Suspect (If Named) ORTIZ, RICHARD Property Tag No.(s)							
10019600							

described the Hispanic female as being in her late 20's or earlier 30's.

### IMPOUNDED EVIDENCE

Tag No.

Description

10019600

(2) Videotapes

(2) Audiotapes

End of Report Detective E. Cordero

Continued From: CRIME	San Diego Officer's Narra	Report		Page 1 of 3	Case Nu 0402679	
Code Section And Description (	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 E. 24TH STREET		100/11/200	City	IAL CITY	District	Beat 200
Person(s) Involved: Victim HARWARD, D	- Lagrange - Lagrange					
Suspect (If Named) ORTIZ, RICHARD						
Property Tag No.(s)						

### **OFFICER'S SUPPLEMENTAL**

On Thursday, March 11, 2004, at about 1150 hours, Officer Dougherty and I responded the scene of a collision, which involved a vehicle of a carjacking, at E. 28th Street. The collision was stemming from an officer involved shooting that occurred at 640 E. 24<sup>th</sup> Street. Please refer to Officer Shanahan's crime case report for all the details reference this incident.

Officer Dougherty and I were on duty, dressed in plainclothes and driving and unmarked police car. We stopped and parked our vehicle at the southwest corner of E. 26<sup>th</sup> Street and "F" Avenue. We walked over the scene of the collision at E. 28<sup>th</sup> Street and "F" Avenue. I could hear over my police radio that one male (suspect) was still outstanding. The suspect was described as a Hispanic male adult, wearing a multicolored beanie cap and a light blue shirt. The suspect had been last seen running eastbound on E. 28<sup>th</sup> Street from the scene of the collision.

Several minutes later, I was told that the outstanding suspect, later identified as Richard Ortiz, had been taken into custody in the yard of 631 E. 28<sup>th</sup> Street.

At 1320 hours, Lieutenant Fifield assigned to take up a security post at E. 28<sup>th</sup> Street and "F" Avenue, while Officer Don Geidel conducted a collision investigation. I began to keep a log for all persons entering and leaving the scene of the collision from "F" Avenue. The following people were already inside the scene: Lieutenant Fifield, Lieutenant Allen, Sergeant Harlan, Sergeant Tellez, Officer Geidel and Vehicle Abatement Officer Sarmiento.

## Scene Log for 600 E. 28th Street:

Time:	Name	v.		Activity;
1326 hours	Lieute	enant Fifield		Left the scene
1337 hours	Detec	Sergeant Triviz Detective Meeks Crime Scene Specialist Chavez		Entered the scene
Reporting Officer A. YBARRA	ID # 381	Division NPT	Approved By D. J. Grande	Date of Rep 03/11/2004

Time

Continued From: GRIME	San Diego Officer's Narr	Report	Page 2 of 3	Case No 0402679	
Gode Section And Description ( PC / 187'664 / ATTEMPTED M	(one incident only) IURDER/DEGREE UNSPECIFIED	Date 03/11/2004	Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 E. 24TH STREET	6S)	1	ILY IATIONAL CITY	District	Beat 200
Person(s) Involved: Victim HARWARD, D Suspect (If Named) ORTIZ, RICHARD Property Tag No.(s)					

1345 hours	Sergeant Harlan	Left the scene
1350 hours	Lieutenant Allen Sergeant Tellez	Left the scene
1350 hours	Crime Scene Specialist Esterly	Entered the scene
1357 hours	Sergeant Triviz	Left the scene
1600 hours	Sergeant Bishop	Entered the scene
1419 hours	Sergeant Triviz Detective Nagle Detective Grande Detective Remmers Detective Young Detective Hart D.H.S. I.C.E. James Stever III	Entered the scene
1438 hours	Sergeant Triviz Detective Nagle Detective Grande	Left the scene

1438 hours	Sergeant Triviz	Left the scene
	Detective Nagle	
	Detective Grande	
	Detective Remmers	
	Detective Young	
	Detective Hart	
	D.H.S. I.C.E. James Stever III	

1500 hours	Officer Lechnir	Entered the scene

1504 hours	Detective Hart	Entered the scene
	D.H.S. I.C.E. James Stever III	

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
A. YBARRA	381	NPT	D. J. Grande	03/11/2004	19:31
	1				

CRIME	San Diego Officer's Narr	Page 3 of 3	Case Nu 0402679			
Code Section And Description (c	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Address 620 E. 24TH STREET			City NATION	NAL CITY	District	Beat 200
Person(s) Involved: Victim HARWARD, D	A STATE OF THE STA					
Suspect (If Named) ORTIZ, RICHARD						
Property Tag No.(s)						

Sergeant Bishop Left the scene 1506 hours Detective Hart Left the scene 1508 hours D.H.S. I.C.E. James Stever III Entered the scene D.A.C.I. Vincent Giaime 1540 hours Sergeant Bishop Entered the scene 1555 hours D.A.C.I. Vincent Giaime Left the scene 1600 hours

At about 1714 hours, Officer Geidel told me I could stop keeping track of persons entering and leaving the scene. I had no further involvement with this investigation.

### **End of Report**

Reporting Officer A. YBARRA	ID # 381	Division NPT	Approved By D. J. Grande	Date of Report 03/11/2004	Time 19:31	
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Continued From: CRIME	San Diego Regional					
	Officer's Report Narrative			3	Case No 0402679	
	URDER/DEGRÉÉ UNSPECIFIED	Date 03/11/2004	Day of \ THU	Week	Time 11:50	
Location Of Incident (Or Addres 620 E 24TH ST	55)	1	City NATIONAL CITY		District	Beat 240
Persan(s) Involved: Victim HARWARD, D		<u> </u>			I	
Suspect (If Named) - ORTIZ, RICHARD						
Property Tag No.(s)						

Suspect (If Named) ORTIZ, RICHARD Property Tag No.(s)					
	<u>OFFI</u>	CER'S SUPP	LEMENTAL		
On 03-11-04, at about 1205 ho officer involved shooting. What stemmed from an armed carjac outstanding. I parked my vehi southbound travel on F Avenu been involved in a collision with being tended to by me bleeding.	nile en rou cking, and cle at the e. I walke th anothe	ite, I heard rad I that the vehic intersection of ed southbound r vehicle. I sa	io traffic that the officer in the was accounted for but a East 26 <sup>th</sup> Street and F Ar and saw a blue was white male, later ider	nvolved shoothe driver wavenue, block that had apprintified as	oting as ing parently
I spoke to Sergeant Harlan, what and attempted to speak with told me that girlfriend piece of paper with the name "Sergeant Bishop told me that U passenger seat. Sergeant Bishop told me that U passenger seat. Urzua got into reportedly been inside a vehicl belongings for weapons. Urzu	Maria Tender of the front the front was	rgeant Bishop e going to the resa Urzua" wi also a suspect I me her purse. right passenge	approached the side door hospital with us. Sergean ritten on it. I wrote down and that she had been se Sergeant Bishop told mar seat of the ambulance. med carjacking, I asked h	of the ambunt Bishop had the informal ated in the rete the purse he since Urzua er if I could	lance, and nded me a tion. ear not had been search her
I was in the back of the ambula Gamester #2201, Jackson #306				le the ambul	ance were
told me his name. I ask subject called himself "Richard me he had gotten into the car of NCPD dispatch on the way to to monitor both and Urz Police Officer to respond to UC Upon arrival at UCSD hospital."	l." I asken Highlan he hospitazua at the CSD.	d where where deal Avenue near al. I requested same time. Di	e he had gotten into the verte a car wash by Division and additional officer, sin ispatch advised they wou	Street. I tele sce I would n ld request a	ephoned not be able San Diego
elevator on the way to the secon					
Reporting Officer D KERR	1D # 387	Division NPT	Approved By D. J. Grande	Date of Report 03/11/2004	Time 18:43
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Continued From: CRIME			***************************************		
	Officer's Report Narrative		Page 2 of 3	Case Nu 0402679	
Code Section And Description (o PC / 187*664 / ATTEMPTED MU		Oate 03/11/2004	Day of Week THU	Time 11:50	
Location Of Incident (Or Address 620 E 24TH ST		City	NAL CITY	District	Beat 240
Person(s) Involved: Victim HARWARD, D		A CONTRACTOR OF THE PARTY OF TH			
Suspect (If Named) ORTIZ, RICHARD	, , , , , , , , , , , , , , , , , , ,	<u>, , , , , , , , , , , , , , , , , , , </u>			
Property Tag No.(s)				rrrrrend wys. mala b v v mad e land alle blibele	***************************************
they did not have the n the security roomon the want Urzua to walk aw	•	vas with	I stayed wit surgery and	th Urzu I did n	a in ot
by saying, "We had a verticer of the	continually made spontaneous statemed weird feeling today when we were dring Richard, "looked like a nice guy." Unwas concerned that had been shad been shad seens.	king." Urzua st rzua told me tha	arted saying t	that the	was
block. Urzua told me t in a dumpster. went inside the trailer v	had been dumpster diving on Highland that "Richard" offered her and Urzua, and "Richard" then went to a twith the CD player, and returned a few CD player. Richard thought they could	a ride to sell a C railer park in Im minutes later sa	D player she perial Beach ying that he	had for n. Rich	und ard
They went to an alley, where a "security guard" told them they could not park their car there. was attempting to install a stereo in the dashboard. Richard drove away and continued to attempt to install the stereo.					
Urzua said Richard drove to some apartments. Richard "got out of control and speeded fast. I told him he did not know how to drive." Urzua told me that four to five officers approached with their guns out and Richard began panicking. The police started walking up the driveway and, "he didn't care if the cop was there. He wanted the cops out of his way. There were cops in front of us."					
realized that	must be thinking, 'You almost ran us of been shot. Richard drove "about 50" ne officers that she had been in the veh	and crashed. U	-	<del>-</del>	
	Diego Police Sergeant J. Reschke #35 conded to the trauma room and spoken			ırs. Re: ked Ser	

Division NPT Approved By D. J. Grande

1D # 387

Reporting Officer D KERR

Time 18:43

Date of Report 03/11/2004

Continued From: CRIME	San Diego				
	Officer's Report		Page 3 of <sup>3</sup>	Case Nu 0402679	
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Code Section And Description ( PC / 187*664 / ATTEMPTED M	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004	Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 E 24TH ST	(\$)	City NATI	ONAL CITY	District	Beat 240
Person(s) Involved: Victim HARWARD, D					
Suspect (If Named) ORTIZ, RICHARD					
Property Tag No.(s)					

Reschke if he could prepare a report for me. Reschke wrote his report, left the hospital, and returned with a hard copy of the report.

While talking to Urzua, I noticed her speech was rapid. I conducted a record check with NCPD dispatch and discovered that she was on probation for being under the influence of a controlled substance. I took Urzua's pulse at about 1506 hours. I found her pulse was about beats per minute. I looked at Urzua's light while under a bright flourescent light. Both of Urzua's pupil's were about mm (measured with pupilometer). There was a preaction when introduced to the direct light of my flashlight. I saw that Urzua's tongue had slight white coating, and Urzua told me she was thirsty. I performed the Rhomberg test on Urzua and discovered her internal clock was estimated at

I asked Urzua if I could search her purse again. Urzua said I could. Urzua has also waived her fourth amendment rights as a condition of probation. I located butane fuel, a torch, a small piece of plastic consistent with the type used to package narcotics, on a container that had a white crystal residue.

Detective Jeffrey Meeks arrived. Detective Meeks asked Urzua if she would mind coming to the station voluntarily. Urzua agreed to go to the station. Detective Meeks and I went to the station with Urzua. At no time while Urzua was with me was she handcuffed.

END OF REPORT COMPLETED BY D. KERR #387 031104/1850

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
D KERR	387	NPT	D. J. Grande	03/11/2004	18:43

Continued From: CRIME	San Diego Regional Officer's Report Narrative			Gase Nu 0402675		
Code Section And Description (		Date	Day of Week	Time		
removement of the contract of	URDER/DEGREE UNSPECIFIED	03/11/2004	THU	11:49		
Location Of Incident (Or Addres	s)		City	District	Beat	
620 E. 24th St.			NATIONAL CITY		246	
Person(s) Involved: Victim		· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·	Augument	
Harward, Dan, Miller, Christoph	eyr					
Suspect (if Named)						
Ortiz, Richard						
Property Tag No.(s)		***************************************				
Officer' Supplemental						

On 031104, at about 1149 hours, I was on duty as the Day Shift Watch Commander talking with Sgt. Harlan, the Day Shift Supervisor, in the Sergeant's Bay. At about this time I overheard radio traffic that officers located a cariacking vehicle and were walking up on it. A few moments later one of the officers stated in a distressed tone that they were in foot pursuit. At this time Sgt. Harlan and I discontinued our conversation and Sgt. Harlan left the building to go assist. I then heard radio traffic that police had fired shots. I immediately left the building and headed to the area of E. 28th St. and F Ave. where there were now reports that the suspects had crashed and one was running from the scene.

Upon my arrival at the intersection of E. 28 <sup>th</sup> St. and F Ave., I saw that a blue had collided with a gold Officer's Harward, Miller and Sgt. Tellez were the only officers I saw at the scene. I saw a white male adult later identified as a more on the ground being assisted by Sweetwater High School staff. The had an injury to his left leg that was bleeding. I also saw a female, later identified as Maria Urzua, kneeling next to saw that the blue had several bullet holes in it.
The first person I talked with was Officer Harward. Officer Harward pointed at the male later identified as stated, "I was one of the officers who shot." I confirmed with Harward that he had fired shots and was wounded by one of the rounds. Officer Harward confirmed that and stated that Frisbie was the right front passenger in the blue was being attended to and I did not take any statements from him. Now knowing that Officer Harward was one of the involved shooting officers I directed him to Sgt. Tellez to give a public safety statement. I also told Officer Harward that we would clear him from the scene as soon as we could.
I then talked with Officer Miller. Officer Miller told me that he too had fired shots at the vehicle. I told Officer Miller to keep and eye on and Urzua and that he should report to Sgt. Tellez shortly to give him a statement. I then talked with the driver of the gold because he appeared to be the parent of a teenage girl who was injured. The man told me that the girl, was his stepdaughter and that she had been standing next to his vehicle when the hit her and his vehicle. He confirmed that she was standing outside of the when she was struck. She appeared to have a minor injury to one of her legs. EMT's were treating her and I did not talk to her. I advised to stand by and he would be interviewed.
At the same time that I was involved in the scene at E. 28 <sup>th</sup> St. and F Ave. Officers were searching for the outstanding suspect who was the driver of the blue. He was last seen around the houses a block away at E. 28 <sup>th</sup> St. and G Ave. After several minutes of searching a male was located hiding in the yard at 631 E. 28 <sup>th</sup> St. This male was later identified as Richard Ortiz and confirmed as the driver of the blue that officers had fired at and shortly thereafter collided with the gold. Ortiz was arrested and transported to the police station. At about the

Continued From: CRIME	San Diego Regional Officer's Report Narrative			f 2	Case Nu 0402679	
Code Section And Description (	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004	Day THL	of Week	Time 11:49	
Location Of Incident (Or Address 620 E. 24th St.			City NATIONAL CI	Υ	District	Beat 246
Person(s) Involved: Victim Harward, Dan, Miller, Christopher Suspect (If Named) Ortiz, Richard						
Property Tag No.(s)						

same time Ortiz was located, I directed Officer Kerr to go with and Urzua who were being transported via ambulance to the hospital.

Sgt. Tellez collected public safety statements from Officers Harward and Miller while I coordinated with other officers and detectives who were investigating the crime scenes. After doing this I responded to the police station to take care of duties related to this incident.

Lt. Keith Fifield #355

Costinued From: CRIME	San Diego Regional Officer's Report Narrative			Page 1 of 1	Case Number 0402679	
Code Section And Description (one incident only) PC / 187'664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED Location Of incident (Or Address)		Date 03/11/200	Date		Time 11:50 District Beat	
620 E, 24th St. (South Parking Lot) Person(s) Involved: Victim			NATIO	NAL CITY		240
Suspect (If Named) Orllz, Richard						
Property Tag No.(s)	the state of the s					

### **Detective Supplemental**

During the investigation of an Officer Involved Shooting that occurred on March 11, 2004, I spoke to National City Police Service Officer S. Carranza. I interviewed Carranza regarding her witnessing the suspect, Richard Ortiz in possession of the stolen before the shooting incident.
During the interview, Carranza told me that she ran the license plate number to the DMV records via NCPD Dispatch. NCPD Dispatch advised Carranza the had not been

reported stolen.

This supplemental report is to clear up any discrepancies in her statement regarding the word "not" was inadvertently left out of my initial report, and overlooked at the time of the initial report being approved.

Confined From CRIME	San Diego Officer's Narra	Report		Page 1 of 5	Case Nu 0402679	
Code Section And Description ( PC / 187*664 / ATTEMPTED M	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 E. 20TH ST	Location Of Incident (Or Address)  620 E. 20TH ST  City NATIO			IAL CITY	District	Beat 243
Person(s) Involved: Victim MILLER, C Suspect (If Named)						
ORTIZ, RICHARD Properly Tag No.(s)		T. A. T. A.	***************************************			
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#### <u>DETECTIVE FOLLOW-UP</u>

#### VICTIM STATEMENT FROM OFFICER C. MILLER

On March 11, 2004, at about 1700 hours, Detective Grande and I interviewed National City Police Officer Christopher Miller (ID #413) in an interview room within the National City Police Department's Investigations Division. The interview was captured on audio and videotap, and was later impounded into evidence at NCPD. The following is a statement from Officer Miller and it is not all-inclusive. Please refer to the audio and videotape for a complete statement.

Officer Christopher Miller (ID #413) has been employed by the National City Police Department since September 2002. He completed his probationary period on March 10, 2004, and has been functioning as a solo officer for the last six months.

On March 11, 2004, Officer Miller was assigned to the Patrol Division, Day Shift (0600 – 1600 hours), Squad "A", working as a solo officer on his assigned beat (21), and his radio call sign was "The was working in full uniform,

duty belt. A caliber semi-automatic handgun is Officer Miller's weapon, carried on his magazines have a round capacity. An operating procedure). On this day, Officer Miller was driving NCPD patrol car #370, a fully marked black and white
vehicle with overhead red and blue emergency lights.
On or about 1120 hours, Officer Miller heard a police radio broadcast bulletin (B.O.L.) regarding a carjacked vehicle that had been seen in the west alley of the 1900 block of Wilson Avenue, National City, within the last twenty minutes. Three subjects occupied the stolen vehicle. Police Service Officer S. Carranza had relayed this information to NCPD Dispatch. NCPD Dispatch advised the field units of the carjacked vehicle's description, license plate number, and of the weapon used during the taking of the vehicle being a knife. Officer Miller said he remembered the vehicle description as being a dark blue with the last three digits of the plate being similar to description of the suspects (possibly 3 suspects involved) was also broadcasted by dispatch.

Officer Miller went to the west alley of 1900 Wilson Avenue to investigate. Upon his arrival, he was unable to locate the carjacked vehicle. During this time, PSO Carranza advised over the police radio that one of the occupants of the carjacked vehicle mentioned their car radio was not working and they planned to move to the 24<sup>th</sup> Street Trolley station. Officer Miller then proceeded to check the surrounding area around the 2200 block of Wilson Avenue, where he came upon a possible suspect vehicle, a black parked in the alley, but it was not the vehicle in question. Officer Miller concluded his search by checking the 24<sup>th</sup> Street Trolley Station, located at 506 W. 22<sup>nd</sup> Street, National City.

Reporting Officer M.REMMERS	ID #	Division	Approved By	Date of Report	Time
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Continued From: CRIME	San Diego Regional Officer's Report Narrative			Page 2 of 5	Case Nu 0402679	
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Location Of Incident (Or Addres 620 E. 20TH ST	\$}		City NATION	IAL CITY	District	Beat 243
Person(s) Involved: Victim MILLER, C						
Suspect (If Named) ORTIZ, RICHARD				**************************************	***************************************	
Property Tag No.(s)				<del></del>	<del></del>	

After being unsuccessful in locating the carjacked vehicle, Officer Miller drove out of the area and was en route to the northeast end of the town to complete some paperwork.

Officer Miller was driving eastbound along E. 24<sup>th</sup> Street, passing D Avenue when NCPD Officer Harward called him on the police radio to meet him in the 500 block of E. 24<sup>th</sup> Street. Officer Miller parked his patrol car along the west curb of the 2400 block of F Avenue, facing south. Officer Harward had his patrol car parked in the 500 block of E. 24<sup>th</sup> Street and he was out of his car.

Officer Harward told Officer Miller that he had seen the carjacked vehicle (based on the vehicle description and license plate number) parked in the south parking lot of 620 E. 24<sup>th</sup> Street and it appeared to be unoccupied. They planned to further investigate by approaching the vehicle on foot. Officer Harward advised dispatch about their observations. At that time, Patrol Sergeant Harlan asked over the radio if the car was occupied and Officer Harward responded that he was uncertain.

Officers Harward and Miller proceeded to walk toward the south parking lot of 620 E. 24<sup>th</sup> Street—moving in a southeasterly direction from the southwest corner of E. 24<sup>th</sup> Street and F Avenue to the parking lot. Somewhere near the middle of the street on F Avenue, a white male adult on a bicycle, later identified as (the victim of the carjacking), approached the officers and mumbled something unintelligibly about the carjacked vehicle. Officer Miller believed he heard tell them that his stolen car (the carjacked vehicle) was parked "over there," pointing to the east toward the south parking area of 620 E. 24<sup>th</sup> Street. Officers Harward and Miller continued on foot toward the parking lot.

As the officers rounded the southwest corner building of the 620 E. 24<sup>th</sup> Street, Officer Miller saw the carjacked vehicle—the dark blue—backing out of a parking stall at a high rate of speed with its tires screeching. Moments before the carjacked vehicle had started to back up, the officers had moved to the middle of the parking lot, but were slightly north of the cement swale (located in the middle of the parking lot that has a downward grade to the west). Based on the vehicle's appearance, it matched the carjacked vehicle description. Officer Miller did not see the occupant(s) get into the carjacked vehicle before it backed up. The carjacked vehicle had been parked about 8 – 10 parking stalls east of the officers' location with the front of the vehicle facing north toward the building. Officer Miller remembered seeing the carjacked vehicle parked east of a black colored Honda. Officer Miller described the parking lot as being wide enough for two vehicles to egress and ingress at the same time. As the carjacked vehicle accelerated out of the stall, its rear-end went south and then east in a "J" turn. There was no other traffic in the parking lot at this time. Officer Miller was standing approximately 3-5 feet behind Officer Harward and to his left (north)—almost side-by-side. Once the carjacked vehicle cleared the stall, the front of the vehicle faced west, head-on directly at the officers. At this time, Officer Harward had his firearm unholstered and at the low ready, and Officer Miller had his gun out at the ready.

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Code Section And Description ( PC / 187*664 / ATTEMPTED M	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Address 620 E. 20TH ST	(5)		City NATIO	NAL CITY	District	Beat 243
Person(s) Involved: Victim MILLER, C Suspect (If Named) ORTIZ, RICHARD Property Tag No.(s)						

Officer Miller estimated the carjacked vehicle was approximately 100-feet east of them. To the best of Officer Miller's recollection, he believed all of the windows of the vehicle were in the up position and darkly tinted (front and rear). This made it difficult for him to see the occupants inside; however he did see the driver, who matched the description of the suspect from the B.O.L. Officer Harward had his hand up and gave verbal orders to the driver to stop. Officer Miller also yelled orders to the driver to stop the car while motioning with his hand to stop. This had no effect and the driver of the carjacked vehicle did not comply. The carjacked vehicle lined itself up with the officers, and with "maximum acceleration that the vehicle was capable of" the carjacked vehicle took off directly at the officers, traveling west on the south side of the parking lot. Officer Miller heard the tires of the carjacked vehicle spinning and screeching with possible smoke coming up from the burning rubber. The vehicle accelerated "as fast as it could go", racing at them at a high rate of speed. Officer Miller had no doubt the suspect driver had the accelerator pedal "floored." The engine loudly revved with a whine. The carjacked vehicle closed its distance with it and the officers within seconds, traveling west on the south side of the parking lot. Suddenly it made a "sharp jerk" to the right (north) directly at the officers as it continued to accelerate. Officers Harward and Miller were retreating to the north as the carjacked vehicle continued toward them.

As the carjacked vehicle rapidly closed-in, Officer Miller had no doubt that he and Officer Harward were going to be struck by the car.

"...I believe he [the driver of vehicle] had absolutely no intentions of stopping what so ever," Officer Miller explained.

Based on the movements of the carjacked vehicle, Officer Miller said, "I thought he was going to make us into hood ornaments." Officer Miller continued to retreat to the north to get out of the path of the carjacked vehicle, but was unable to because of the carjacked vehicle's high rate of speed and it continuing directly toward them. The car did not make any corrections to avoid the officers. The vehicle was approximately 20-30 feet away when Officer Miller believed he and Officer Harward were going to be struck by the carjacked vehicle. Officer Miller said he was "very scared" and "feared for his life" and Officer Harward's life, more so, because he was "a step closer" (to the south) to the vehicle as it was gunning for them. At that moment Officer Miller was going to fire at the carjacked vehicle in immediate defense of his life and the life of Officer Harward because it was going to strike them. However, Officer Harward had moved into Officer Miller's field of fire and he could not shoot. Right then, Officer Miller saw Officer Harward fire at the vehicle as he "jumped" back (north) as far as he could. The carjacked vehicle continued at the officers without any reduction of speed. Officer Miller believed the car had struck Officer Harward because of his flailing body movements. Based on the direction of the carjacked vehicle, Officer Miller believed the driver purposely intended to strike Officer Harward to seriously injure or kill him. Because the vehicle continued to pose an immediate threat of deadly force upon Officers Miller and Harward, Officer Miller fired toward the driver side of the carjacked vehicle (firing in a southeasterly direction) to stop it in an effort to prevent any further injury to Officer Harward and to protect himself. Officer Miller believed the carjacked vehicle was approximately 10 - 15 feet away from him when he fired his first shot. After the first shot, the vehicle did not divert from its course of travel and continued its

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Code Section And Description (	one incident only) URDER/DEGREE UNSPECIFIED	Date - 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 E. 20TH ST			City NATIO	VAL CITY	District	Beat 243
Person(s) Involved: Victim MILLER, C						
Suspect (If Named) ORTIZ, RICHARD						
Properly Tag No.(s)						

acceleration directly at the officers. Continuing to defend his life and Officer Harward's, Officer Miller fired (horizontal tracking) several more times in succession at the vehicle believing his life was still in danger, while also believing that Officer Harward had been struck by the carjacked vehicle, as it passed him at a very high rate of speed. Officer Miller had been standing north of the carjacked vehicle during the shooting and had been able to move out of its way. The carjacked vehicle went west out of the parking lot.

As carjacked vehicle raced out of the parking lot and turned left (south) onto F Avenue, the driver appeared to be barely in control of the car at this time. The tires of car were skidding and losing traction. Officer Miller believed he fired one more time at the driver's side of the vehicle in an effort to immediately stop it as it begun to accelerate away south on F Avenue, but he was not certain. Officer Miller estimated he fired a total of approximately six rounds. He could not remember the number of rounds fired by Officer Harward. Officer Miller advised dispatch about the shooting and attempted to give a direction of travel of the carjacked vehicle as he ran back to his patrol car. Officer Harward also ran back to his patrol car and went in pursuit after the carjacked vehicle. Officer Miller advised over the police radio that he believed the carjacked vehicle would be entering Highland Avenue from E. 28<sup>th</sup> Street, based on the roadway configuration. He was anticipating a vehicle pursuit because the carjacked vehicle's high rate of speed and the delay of getting to his patrol car.

Moments later Officer Harward advised over the police radio that the carjacked vehicle had crashed at the intersection of E. 28<sup>th</sup> Street and F Avenue, at a driveway of Sweetwater High School. Officer Miller responded and assisted by securing the scene (*Officer Miller did not witness the traffic collision*). Upon his arrival, he heard the carjacked vehicle's engine revving, saw that the car was still in gear, and the right rear tire was spinning. An unknown pedestrian shut off the motor. Officer Miller could see smoke coming from the car and smelled the burnt rubber on the asphalt.

The driver of the carjacked vehicle, later identified as **Richard Ortiz** (Suspect), had fled from the car to avoid his arrest. No one was inside of the carjacked vehicle. A white male adult, later identified as (front right passenger), and a female, later identified as **Marie Urzua** (rear passenger), were sitting on the ground. had a gunshot wound to his right leg. Onlookers told Officer Miller that the female (Urzua) had been inside the carjacked vehicle. They also told the officers that the driver (Ortiz) had ran east along E. 28<sup>th</sup> Street from the car toward Highland Avenue.

Officer Miller contacted Urzua and she identified herself as being the right rear passenger of the carjacked vehicle. She also identified as being her boyfriend and confirmed that was seated in the right front passenger seat of the carjacked vehicle. During Officer Miller's initial contact with Urzua, they had the following conversation:

Urzua asked, "Why did you shoot at us?"

Officer Miller replied, "He tried to run us over."

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Code Section And Description (		Date 03/11/2004	Day of Week THU	fime 11:50
Location Of Incident (Or Address) City				Olstrict Beat 243
Person(s) Involved: Victim MILLER, C				
Suspect (if Named) ORTIZ, RICHARD				
Property Tag No.(s)				

She asked if the "driver" (Ortiz) was a "bad guy."

Miller responded, "You were in the car with him. Who is he?"

Urzua replied, "I don't know."

Officer Miller asked, "What's his name? Where does he live?"

Urzua answered, "I don't know. We just met him and he offered us a ride. Why did he (Ortiz) try to run the officers over? Is he wanted? Does he have warrants? Yeah, I saw him try to run you over. I saw him try to drive the vehicle at you."

Urzua tried to rationalize by saying, "I think he might have warrants. He must be wanted."

Urzua described the "driver" (Ortiz) to Officer Miller as being a Hispanic male adult, about 22 years of age, wearing a baby blue shirt and a beanie cap.

It was Officer Miller's opinion, based on Urzua demeanor that she acted "dumfounded" and/or acted like she had no clue what was going on.

Officer Miller did not have any contact with nor did he take any witness statements at the scene.

NCPD Community Service Sgt. Tellez arrived at the scene and had Officer Miller stand by for the investigators.

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Code Section And Description (	one Incident only) JRDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Address) City				VAL CITY	District	Beat 240
Pørson(s) Involved: Victim Carranza,						-now
Suspect (If Named) Orliz, Richard						***************************************
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## **Detective Supplemental**

On March 11, 2004 at about 1150 hrs, an Officer Involved Shooting occurred in the south parking lot of 620 E. 24<sup>th</sup> St. in National City. The suspect, Richard Ortiz attempted to run over two NCPD Officers while driving a stolen car. During the investigation, I spoke to Sheilah Carranza, a Police Service Officer for the National City Police Department, who was a witness to Ortiz driving the stolen vehicle prior to the incident.

Carranza was interviewed at NCPD at the Investigations Division. Her statement was audio and videotaped, which was later impounded into NCPD evidence. The following is a synopsis of Carranza's statement:

#### STATEMENT

Carranza (w) has worked as a National City Police Service Officer for the past three years. Carranza's duties consist of handling traffic complaints and vehicle abatements within the city.

On March 11, 2004 at about 1100 hrs, Carranza was working with Parking Enforcement Officer R. Crawford. They were dressed in uniform and driving a marked National City Vehicle Abatement pick-up truck.

Carranza and Crawford drove to the area of 1800 Wilson Ave. regarding numerous complaints of individuals parking in the west alley of 1800-1900 block of Wilson Ave. When they arrived, they saw two vehicles parked in the west alley of 1900 Wilson Avenue, a black vehicle and a dark blue 1980's 4-door sedan. Carranza could not remember the whole license plate, but remembered the last three numbers as

Carranza saw a Hispanic male adult, wearing a black colored cloth beanie with a white design on the front, light blue shirt, and baggie dark pants exit the left front driver door of the Hispanic male appeared extremely nervous as he walked towards her, wringing his hands together and looking around.

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
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Detective Supp	Officer's	•	Page 2 of <sup>3</sup>	Case Nu 0402679	
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PC / 187'664 / ATTEMPTED MURDE Location Of Incident (Or Address)	R/DEGRÉE UNSPECIFIED	03/11/2004	THU City		Beat
620 E. 24th St. (South Parking Lot)			NATIONAL CITY		240
Person(s) Involved: Victim Carranza,					
Suspect (If Named)	The state of the s				
Ortiz, Richard Property Tag No.(s)	AND THE RESERVE OF THE PARTY OF				
All the control of th			7 7 00	~	
emale's right arm protrudemale, because there were when the Hispanic male told Commoking. The Hispanic made the Trolley Station to fi	ding from the right rear pare several metal bracelets of arranza that he was attempale told Carranza that he was nish repairing the vehicle.	ssenger window. On the wrist of the wrist of the wrist of the wring to repair the would move out of the would move out of the would move out of the world move out of the write of the write was a second move out of the write of the write out out of the write out out of the write out out of the write out out of the write out out out of the write out out out out out out out out out out	Carranza believed arm. vehicle's stereo, b the alley immediat	it was a ecause i	i it wa
tart it up. Carranza and he Hispanic male did mo Carranza ran the	Crawford got into their vehouse out of the alley. Because license plate through the Carranza that the	nicle and backed o e of the Hispanic n ugh NCPD Dispate	ut of the alley, mai nales suspicious be	ehavior, ord chec	e the
Carranza saw that the His triking objects in the alle alley, she could see that th	ne west alley and saw the H spanic male was backing up y. As the Hispanic male ba here was a White male adu Thite male adult as being in	p erratically and lecked the the let sitting in the rig.	ost control several north bound ht front passenger	l times a d out of seat.	'the
vho had ran the	wenty minutes later, NCPD Dispatch advised Colen, and had been taken in	Carranza that the	d if Carranza was was	the offic s a rece	cer ntly
After the interview, I show	wed Carranza a photo line-	up consisting of si	x photos, one of R	ichard (	Ortiz

Ortiz was photo #5 in the photo line-up. I gave Carranza the photo line-up admonition prior to showing her the photos. I showed Carranza the photo line-up, and she immediately pointed to photo #5, Richard Ortiz. Carranza positively identified Ortiz as the driver of the when

Reporting Officer GRANDE	ID# 249	Division INV	Approved By R. G. Triviz	Date of Report 03/24/2004	Time 10:34

Coatinued From: OTHER	San Diego Regio					
Datective Supp				Page 3 of 3	Case No 0402679	
	Narrative Narrative					
Code Section And Description ( PC / 187*664 / ATTEMPTED M	Day of Week THU	Time 11:50				
Location Of Incident (Or Address) City 620 E. 24th St. (South Parking Lot) NATION.					District	Beat 240
Person(s) Involved: Victim Carranza,						**************************************
Suspect (If Named) Ortiz, Richard						
Property Tag No.(s)			Levidore			

contacted in the west alley of 1900 Wilson Ave. I had Carranza initial the photo line-up, which was later impounded into NCPD evidence.

Co-tinued From: CRIME		Page	Case Nu			
	Narra	ıtive		1 of 2	0402879	
Code Section And Description	on (one Incident only) DIMURDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	<b>*</b>
Location Of Incident (Or Address)				NAL CITY	District	Beat 240
Person(s) Involved: Victim Harward, D. Suspect (If Named) Ortiz, Richard Property Tag No.(s)						
are a manage decreased in the second	DETECTIVE FOLL	OW UP REPORT				
	STATEMENT OF	(Witne	<u>ss)</u>			
On 03-11-04, at about	STATEMENT OF  1835 hours, I met with  the police department with Officer Sh	ne National City Po		artment.	was wait	ing

On C	3-11-04, at about 1835 hours, I ommunity room of the police d	met with epartment w	at the vith Officer Shan	National City Police Departin ahan.	lent. Was	wannig in
capt	ctive Nagle and I interviewed ared on audio and video tape. The details, refer to the audio and	he following	g is a synopsis of	f our interview with	on. The intervi	ew was asive. For
	about 1150 hours, was	campus.	s was outside o	estudent at Sweetwater High S class in room # of the classroom, near the 600 tage for the school's internal r	on the nor block of East	th side of 28 <sup>th</sup> Street,
	come from the area of East 2 buildings and saw a four-doc (possibly a truck the orange-	28 <sup>th</sup> Street. or blue was a fema gold vehicle	looked out of vehicle collections the female stime.	eching sound of tires braking a conto East 28 <sup>th</sup> Street, through dide into a two-door orange-go the driver side of the orange udent exited.	two of the sche old "low rider" -gold vehicle. male student "	ool ' vehicle The blue
	wearing a dark blue shirt run "beanie" cap on his head.	from the di only sav	river side of the by the backside of ze frame.	e ran toward the collision sce blue The male was the male as he ran from the bloes not know the race of the and on East 28 <sup>th</sup> Street from the	possibly wear lue male that ran;	ing a black The male however,
	passenger was injured and be shoulder length blond hair. getting out of the blue get out of the blue was possibly working at the looked at the blue	He was weal the was weal the was weal the male school.	n his left leg. The cring a white shirt and another male who helped with that there were	ssenger seat of the blue e white male was tall, with a stand blue denim pants. The who was wearing a white t-stand get the white male passenger e a lot of bullet holes in it.	regular build a white male nee hirt helped the rout of the blue assumed the	and had long sided help white male new male
1	•	the blue	had been	shot. The white male was sl	Date of Report	pam,
Re RO	oorling Officer UNDS	360	INV	R. G. Triviz	03/23/2004	15:22

.Co/dinued From: CRIME	San Di	ego Regional		
	Office	er's Report	Page	Case Number
		arrative	2 of 2	0402679
Code Section And Description PC / 187*664 / ATTEMPTED	on (one incident only) MURDER/DEGREE UNSPECIFIED	Date 03/11/2004	Day of Week THU	Time 11:50
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Person(s) Involved: Victim Harward, D.	Highs albahana bara high di dida um malangah permenyanan mangkab ne dan kilan kelubih dalah melah mengan mengan			
Suspect (If Named) Orliz, Richard			At a children	
Property Tag No.(s)	Medical Michael & Committee of			
where she hurt of female student's asked him if he collision.  The lunch break told	to the female student and saw that on her body. The female student his body. The female student indicates arrived and the left the class to go to go back to his the class	A short while later, Coareet. told Coach	pointed to dismost.  checked came to he was a with the police.	fferent parts of the
cannot iden	ntify the male who ran from the blu	because he r	never saw the male	's face.
	ENI	O OF REPORT		
Detective Rober	t A. Rounds			
National City Po	lice Department			
Investigations D	ivision			
March 23, 2004				

The second secon		T	······································		
Reporting Officer	ID#	Division	Approved By	Date of Report	Time
ROUNDS	360	INV	R. G. Triviz	03/23/2004	45-22
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SAN DIEGO REGIONAL
ADDITIONAL VICTIMS AND/OR WITNESSES
AND OTHER PEOPLE ASSOCIATED WITH THE CRIME PAGE CASE NUMBER

LOCATION OF INCIDENT (OR ADDR	(ESS)	***		1 Marie 1		100.00	,	0402	919
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Code Section And Description (		Date 03/11/2004		Day of Week	Time	
PC / 187*664 / ATTEMPTED M	· y z	THU	11:50	·		
Location Of Incident (Or Addres	City		District	Beat		
620 East 24th Street	NATION	DNAL CITY 240				
Person(s) Involved: Victim						
Harward, D.						
Suspect (If Named)						
Ortiz, Richard						
Property Tag No.(s)						

#### DETECTIVE FOLLOW UP REPORT

#### STATEMENT OF MARIA URZUA (Witness)

On 03-11-04, at about 2035 hours, Detective Nagle and I met with Maria Urzua in an interview room within the Investigations Division at the National City Police Department. Urzua was the rear passenger in the suspect vehicle that Officers Harward and Miller shot at. Prior to interviewing Urzua, I gave her a "Beheler" admonishment. I told Urzua she was not under arrest and was free to leave at any time. Urzua said she understood and agreed to stay and speak with us.

Prior to the interview with Urzua, the suspect, Richard Ortiz, was walked through the Investigations Division lobby area. Ortiz was wearing a white paper suit because his clothes were taken from him as evidence. Urzua was seated in the lobby area of the Investigations Division as Ortiz walked by. Later, during her interview, Urzua referred to the male who walked past her wearing "white" (Ortiz) as the male who was driving the blue, four-door that the officers shot at. Based on her observations and recognizing Ortiz, she positively identified Ortiz as the suspect who was driving the blue that drove in the direction of Officers Harward and Miller. Refer to Urzua's synopsized statement for further details.

The interview with Urzua was captured on audio and video tape. The following is a synopsis of our interview with Urzua and is not all-inclusive. For further details, refer to the audio and/or video tapes of the interview.

Statement of Maria Urzua (Witness): Urzua lives with her ex-husband, at line and in National City. Urzua is currently dating Urzua and have been dating for about 4 ½ years. Presides with his mother and sister in El Cajon, California.
On 03-11-04, at about 0630 – 0700 hours, Urzua and went "dumpster diving" near a car wash near East 1 <sup>st</sup> Street and Highland Avenue in National City. While they were dumpster diving, Urzua and Hispanic male (suspect Richard Ortiz) at the car wash. Ortiz stared at Urzua and Urzua and under and introduced himself. Urzua cannot remember the name Ortiz used to introduce himself.
Urzua and that the knew of a place where she and could sell or trade some of the items they found while they were "dumpster diving" for money and/or drugs. Ortiz invited Urzua and to ride with him in his vehicle to go sell or trade their property. Ortiz was driving a blue, four-door Prior to accepting a ride with Ortiz, went and spoke to a male named "who is homeless and stays near the car wash." asked "who is fortiz was an "okay" person. "told "who is homeless are "okay." Urzua and agreed to go with Ortiz in the

	Reporting Officer ROUNDS	ID# 360	Division INV	Approved By R. G. Triviz	Date of Report 05/13/2004	Time 14:46			
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Officer's Report Narrative  Code Section And Description (one incident only) PC / 187*664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED  Location Of Incident (Or Address) 620 East 24th Street  Page 0402679  Date 03/11/2004 THU Time 11:50  City NATIONAL CITY District Beat 240  Person(s) Involved: Victim	Continued From:	1	San Diego R	egional	(		<u> </u>	
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Continued Front: GRIME	San Diego Regional Officer's Report Narrative				4	Gase Nu 0402679	
Code Section And Description (	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of V	Veek	Tlme 11:50	
Location Of Incident (Or Address 620 East 24th Street			City NATION	AL CITY		District	Beat 240
Person(s) Involved: Victim							
Suspect (If Named)			<del>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</del>				
Ortiz, Richard Properly Tag No.(s)	444						
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Urzua, and Ortiz walked back to Ortiz' blue of the Ortiz was angry with because he went to look for them. Ortiz got into the driver seat of the vehicle, sat in the front passenger seat and Urzua sat in the rear seat. A different white male on a bicycle approached them and said something to Ortiz. The white male on the bicycle looked like a "hillbilly." Ortiz told the male they would be right back. The male on the bicycle did not try to stop them from leaving.

Ortiz backed out of their parking spot and started to drive toward the exit of the parking lot. At that same moment, "a bunch" of uniformed police officers, "like a posse," with their guns drawn walked into the parking lot on foot. Urzua believes she saw about five police officers. The police officers were wearing dark blue uniforms with badges and had their guns in their hands. Urzua was confused because she did not know why the police officers were there. It seemed to her that the police officers were walking toward their location.

Ortiz "panicked" and drove the vehicle toward the police officers. Ortiz accelerated and drove "fast enough to intimidate the cops." Urzua believes Ortiz saw the police officers. Ortiz was acting "un-normal." The police officers were standing in the middle of the driveway, blocking the exit to the parking lot. Ortiz drove in the direction of the exit driveway, and as a result, the police officers as well. Ortiz' vehicle came within about four feet of the police officers. Ortiz had to drive "through the cops" to get out of the parking lot.

I asked Urzua, "Did he (Ortiz) try to run over the cops?" Urzua answered: "It seemed like that to me." She then said that she did not think that Ortiz was trying to run over the police officers, but that he "lost control" of the steering wheel.

As Ortiz drove toward the police officers, he lost control of the steering wheel and drifted in the direction of the police officers. The vehicle traveled in the direction of one of the police officers. Urzua believed the vehicle was going to hit one of the police officers. As Ortiz' vehicle approached the officer most at risk of being hit, the officer tried to move out of the way. The police officers first fired their guns when Ortiz' vehicle came within a short distance of them and it appeared the vehicle was going to hit one of the police officers. Urzua believes the police officers thought Ortiz was trying to run them over. If Urzua were in the police officers' place, she would have thought that Ortiz was trying to run them over too.

As Ortiz drove toward the police officers, the officers started shooting at them. As Ortiz drove past the police officers, bullets were flying "everywhere." Urzua ducked down because she was scared of being shot. Urzua told Ortiz to stop and asked him why he was speeding at the police officers. Urzua was confused and did not know why the police were shooting at them.

Ortiz sped out of the apartment complex parking lot and drove down the road toward a school. Urzua saw a gold "low rider" type of vehicle parked by the school. As they approached the school, Urzua believed Ortiz was going to collide with the low rider vehicle. Ortiz applied the brakes on the and the vehicle began

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Location Of Incident (Or Addres 620 East 24th Street	35)		City NATION	IAL CITY	District	Beat 240
Person(s) Involved: Victim Harward, D. Suspect (If Named) Ortiz, Richard Property Tag No.(s)						

to skid. The collided with the low rider vehicle. Ortiz had already exited the collided and ran away in an unknown direction when Urzua got out of the car. Urzua got out of the car. Urzua got out of the car. Urzua got out of the car. Urzua saw that was bleeding from one of his legs. Urzua summoned help from someone at the school. An unknown male came to Urzua's location and helped her get the count of the vehicle.

Numerous police officers began to arrive at the scene. Urzua approached a police officer and told him, "Sir...I was inside the car." The officer kept watch over Urzua until an ambulance arrived. Urzua was transferred to an ambulance. An ambulance drove Urzua to the hospital for medical attention. Urzua stayed in the hospital until she was allowed to leave.

Urzua did not know (at the time) that the was stolen. Urzua and both saw that the had a key in the ignition. Urzua suspected that the key might be a "master" key when they had possession of the keys earlier in the day in Imperial Beach.

Detective Nagle and I took a break in the interview for short period of time. We then re-entered the room and continued the interview...

Urzua did not hear the police officers shout any commands at Ortiz as he was driving toward the officers. Urzua last used methamphetamine on 03-11-04, before they drove to Imperial Beach to sell Urzua's "Playstation" video game.

I instructed Urzua to go home, refrain from using any illegal drugs and then return to the National City Police Department on 03-12-04, at about 0930 hours to be re-interviewed.

We completed our interview with Urzua at about 2148 hours.

END OF REPORT

Detective Robert A. Rounds National City Police Department Investigations Division

May 5, 2004

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Reporting Officer	ID#	Division	Approved By	Date of Recort	Time
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Continued From CRIME	San Diego Regional Officer's Report Narrative				Page 1 of 3	Case Nu 0402679	
Code Section And Description (	one incident only) URDER/DEGREE UNSPECIFIED		Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 East 24th Street		***************************************		City NATION		District	Beat 240
Person(s) Involved: Victim Harward, D							
Suspect (If Named) Ortiz, Richard							
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#### **DETECTIVE FOLLOW UP REPORT**

# STATEMENT OF MARIA URZUA (Witness) (Second Statement on 03-12-04)

Detective Nagle and I previously interviewed Urzua a day earlier on 03-11-04. At that time, the content and flow of Urzua's statement was disorganized and difficult to understand. Urzua appeared to be under the influence of a controlled substance on 03-11-04, however I did not feel she was so intoxicated that she was a danger to herself or others. At the end of our first interview with Urzua, I asked her to go home, refrain from the use of drugs or alcohol, and then come back to NCPD on 03-12-04 to be reinterviewed regarding any descrepancies in her statement. Urzua agreed to do as I requested and said she would come back the following day.

I later spoke to Detective Grande, who asked me to speak with Urzua about the location of the police officers in relation to the driveway exit of the apartment complex at 620 East 24<sup>th</sup> Street. Specifically, whether Ortiz drove the blue in the direction of the police officers on 03-11-04. Detective Grande also asked that I speak to Urzua about comments she made to the first responding police officer(s) at the scene of the traffic collision at 600 East 28th Street.

On 03-12-04, at about 1050 hours, Detective Nagle and I met with Maria Urzua at NCPD. We spoke to Urzua in an interview room within the Investigations Division. Prior to interviewing Urzua, I gave her a "Beheler" admonishment. I told Urzua she was not under arrest and was free to leave at any time. Urzua said she understood and agreed to stay and speak with us.

The interview with Urzua was captured on audio and video tape. The following is a synopsis if our interview with Urzua and is not all-inclusive. For further details, refer to the audio and/or video tapes of the interview.

2<sup>nd</sup> Statement of Maria Urzua (Witness): On 03-11-04, Urzua was seated in the rear seat of the blue was seated in the front passenger side seat and Ortiz drove the vehicle. As Ortiz started to drive forward, westbound in the parking lot of the apartment complex, Ortiz drove in the direction of the driveway. Half of the driveway was clear for Ortiz to exit without hurting anybody. Police officers blocked the other half of the driveway.

Urzua believes Ortiz was trying to exit the parking lot as he drove westbound toward the exit driveway. However, Ortiz "freaked out" when he saw the police officers. Ortiz "panicked" and got "scared." As Ortiz drove the blue toward the exit, he initially drove toward the

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and tried to drive away from the police officers at the last moment. Ortiz almost struck one of the police officers as he drove out toward the exit of the parking lot. Urzua asked Ortiz, "What are you doing? You don't speed!" As Ortiz accelerated and drove toward the

police officers, Ortiz screamed, "Get out of the way!" or possibly "Get the fuck out of the way!" to the police officers.

so close to the Urzua thought Ortiz was going to hit the officers. Ortiz drove the police officers that the police officers had to jump out of the path of the "safety." Urzua believes that if the police officers stayed in their position without jumping out of the way, Ortiz would have had either hit or just barely missed the police officers with the

After Ortiz drove past the police officers and exited the parking lot, he drove left (south) toward a school. Urzua told Ortiz to stop the car. Urzua asked Ortiz, "What are your doing?" did not try to tell Ortiz to stop.

Ortiz crashed the blue near the high school. Urzua exited the vehicle and then helped get out of the vehicle. Police officers arrived at the scene within three minutes or less. Urzua immediately told one of the police officers on scene that she was a passenger in the blue Urzua stood by with a police officer. Urzua spoke to "a few" police officers while she was at the collision scene.

Urzua does not remember saying anything to a police officer about why Ortiz tried to "run over" the police officers. Urzua does not believe she made such a comment. Urzua remembers telling one of police officers that she did not know why Ortiz was running from the police.

Detective Nagle and I took a break from the interview at about 1115 hours. We returned to the interview room at about 1120 hours. We continued the interview with Urzua.

Urzua remembers she asked one of the police officers at the collision scene, "Why did you shoot at us?" Urzua believes the police officer said that he did not want to tell her and that he did not want to give her any information.

I asked Urzua if she remembered hearing the police officer say, "Because he tried to run us over."

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Suspect (If Named) Ortiz, Richard						
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Urzua does not remember the police officer's response.

I asked Urzua if she remembered telling the police officer, "Yeah, I don't know why he was trying to run you over, maybe he has a warrant or something."

Urzua does not remember making that statement, but it is possible that she said something similar that statement to the police officer.

We completed our interview with Urzua at about 1122 hours.

**END OF REPORT** 

Detective Robert A. Rounds National City Police Department Investigations Division

May 11, 2004

Continued From, CRIME.	San Diego I Officer's I Narrat	Page 1 of 4	Case Nu 0402679			
Code Section And Description (	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
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Person(s) Involved: Victim Harward, D						
Suspect (If Named) Ortiz, Richard						
Property Tag No.(s)						

#### **DETECTIVE FOLLOW UP**

On 03-11-04, at about 1200 hours, I was called out to assist in the investigation of an officer involved shooting that occurred at about 1150 hours in the south parking lot of the apartment complex at 620 East 24<sup>th</sup> Street. I arrived at the National City Police Department at about 1445 hours. I spoke to Detective Cordero who told me the following:

At about 1150 hours, patrol Officer Harward located an carjacking vehicle in the south parking lot of the apartments at 620 East 24<sup>th</sup> Street. Officers Harward and Miller walked into the parking lot to investigate the vehicle. As they did so, the vehicle reversed out of a parking space and drove at Officers Harward and Miller. The vehicle failed to change its direction and continued to drive toward the officers. Officers Harward and Miller shot several rounds at the approaching vehicle, striking it several times. The vehicle sped away southbound on F Avenue, toward Sweetwater High School. The vehicle eventually collided with another vehicle in the 600 block of East 28<sup>th</sup> Street. A Hispanic male driver fled on foot and was later apprehended by responding officers. A male and female, who were passengers in the vehicle, were identified at the scene. The male passenger was struck by at least one of Officers Harward or Miller's rounds. The male and female passengers were taken to a local hospital for treatment. The Hispanic male driver was transported to NCPD for processing.

Detective Cordero and I interviewed a witness to the vehicle collision at 600 East 28" Street named
We interviewed within an interview room in the Investigations Division. The interview took place at
1447 hours. Detective Cordero documented the interview with For further information, refer to Detective
Cordero's report(s).
Detective Grande (Case Agent) held a briefing with Investigations Division personnel at about 1540 hours. During the
briefing, I learned the suspect vehicle was a four-door, blue The The was stolen during a carjacking. I
learned there were three occupants in the suspect vehicle:

- 1. RICHARD ORTIZ (DOB: 10-12-81) (Driver)
- 2. (Right front passenger)
- 3. MARIA URZUA (DOB: 12-24-60) (Rear passenger)

In addition, there were several witnesses to either the shooting or the traffic collision who came (or were transported) to NCPD voluntarily to be interviewed. Detective Nagle and I were assigned to interview the following witnesses:

1. 2. 3.

Reporting Officer	ID#	Division	Approved By	Date of Report	Time	
ROUNDS	360	INV	R. G, Triviz	05/13/2004	14:18	

Detective Nagle and I interviewed at about 1835 hours. tape. The audio and video tapes of the interview were later impound High School. witnessed a portion of the aftermath of the collision rider" vehicle in the 600 block of East 28 <sup>th</sup> Street. I docum regarding statement, refer to the separate synopsized statement of the collision of the separate synopsized statement of the separate synopsized statement of the separate synopsized statement of the separate synopsized statement of the collision of the separate synopsized statement of the separate synopsized sta	Date 03/11/2004 CI NA	ÁTIONAL CITY	1 1	eat 40
Code Section And Description (one incident only) PC / 187'664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED  Location Of Incident (Or Address) 620 East 24th Street  Person(s) Involved: Victim Harward, D  Suspect (If Named) Orltz, Richard  Property Tag No.(s)  5. 6.  Detective Nagle and I interviewed was the vehicle driven their handguns at it. Detective Nagle documented our interview photograph line up containing Richard Ortiz' picture (position #photograph line up and was asked, "Do you see 'Richard' in any of the and said, "The one right in the middle, number five." positively his blue Detective Nagle documented statement statement, refer to Detective Nagle's report(s).  Detective Nagle and I interviewed at about 1835 hours. The audio and video tapes of the interview were later impound High School. Witnessed a portion of the aftermath of the collisi "low rider" vehicle in the 600 block of East 28 <sup>th</sup> Street. I docum regarding statement, refer to the separate synopsized statement of the collisi "regarding statement, refer to the separate synopsized statement of the collider" vehicle with which the blue collided. Detective Nation of the collided. Detective Nation of the collided.	03/11/2004 CII NA	THU IY ATIONAL CITY	11:50 District Be	
Location Of Incident (Or Address) 620 East 24th Street  Person(s) Involved: Victim Harward, D  Suspect (If Named) Orliz, Richard  Properly Tag No.(s)  5. 6.  Detective Nagle and I interviewed was the vehicle driven their handguns at it. Detective Nagle documented our interview photograph line up containing Richard Ortiz' picture (position # photograph line up and was asked, "Do you see 'Richard' in any of the and said, "The one right in the middle, number five."  photograph line up Detective Nagle documented statement statement, refer to Detective Nagle's report(s).  Detective Nagle and I interviewed at about 1835 hours. tape. The audio and video tapes of the interview were later impound High School. witnessed a portion of the aftermath of the collisi "low rider" vehicle in the 600 block of East 28 <sup>th</sup> Street. I docum regarding statement, refer to the separate synopsized statement of the collisi "low rider" vehicle with which the blue collided. Detective Nagle at about 1907 herider" vehicle with which the blue collided. Detective Nagle at about 1907 herider" vehicle with which the blue collided. Detective Nagle and I interviewed at about 1907 herider" vehicle with which the blue collided. Detective Nagle at about 1907 herider" vehicle with which the blue collided. Detective Nagle at about 1907 herider" vehicle with which the blue collided. Detective Nagle at about 1907 herider" vehicle with which the blue collided. Detective Nagle at about 1907 herider" vehicle with which the blue collided. Detective Nagle at about 1907 herider" vehicle with which the blue collided. Detective Nagle at about 1907 herider" vehicle with which the blue collided. Detective Nagle at about 1907 herider "vehicle with which the blue collided. Detective Nagle at about 1907 herider" vehicle with which the blue collided.	CI	ly ATIONAL CITY	District Be	
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rider" vehicle with which the blue collided. Detective N	led as evidence. on between the tented star	is a student blue and	nt at Sweetw d a gold cold	vate: ored
form. For further details regarding statement, refer to Detecti	agle documented		of the gold " tement in re	
Detective Nagle and I interviewed at about 1930 ho on audio and video tape. The audio and video tapes of the interview of student at Sweetwater High School. witnessed the collision "low rider" vehicle in the 600 black of East 28 <sup>th</sup> Street. collision on foot and later get apprehended by the police. I document regarding statement, refer to the separate synopsized states.	vere later impour to between the bludes of the driver the driver of the	unded as evidence	the gold cold	is orec
Detective Nagle and I interviewed Maria Urzua at about 2036 how when the driver of the (Richard Ortiz) drove in the was not under arrest when we spoke to her. Prior to speaking the Urz	e direction of Of	fficer Harward an	d Miller. U	rzu
Urzua that she was not under arrest and was free to leave at any tim				
and talk to Detective Nagle and I. The interview with Urzua was cap				
the audio and video tapes of the interview as evidence. During the in				
influence of a controlled substance. Urzua spoke quickly and jumpe	l from one subje	ect matter to anot	ther, making	g he
statement difficult to understand. For further information regarding Ustatement report.	rzua's statement	t, refer to the sepa	ırate synops	ize
Reporting Officer   ID # Division   Appro ROUNDS   360   INV   R. G.			ort Time	

Continued From: CRIME	San Diego Region		:			
	Officer's Report Narrative			Page 3 of 4	0402679	
Code Section And Description (C PC / 187*664 / ATTEMPTED ML Location Of Incident (Or Address	JRDER/DEGREE UNSPECIFIED	Date				Beat
620 East 24th Street Person(s) Involved: Victim			JAMOITAL	. CITY		240
Harward, D Suspect (If Named) Ortiz, Richard					<u> </u>	
Property Tag No.(s)						***************************************
the interview with Urzua, asked Urzua to refrain from day. Urzua agreed and toll On 03-12-04, at about 105 state of mind. However, a spoke to Urzua in an intervideo tape. I later impound that she was free to leave For further details regarding At about 1320 hours, I m Gelskey were at the crime	Irzua displayed, I did not feel that she was a I asked her if she would be willing to come in the use of drugs and/or alcohol so that she in the use of drugs and/or alcohol so that she in the she would return to NCPD the next day to hours, Urzua came to NCPD to be re-interested still spoke quickly and jumped from one serview room within the Investigations Division ded the audio and video tapes of the interview a, I again gave her a "Beheler" admonishment at any time. Urzua said she understood and ing Urzua's second statement, refer to the separet with the second statement, refer to the separet with the second statement at 620 East 24 <sup>th</sup> Street. Scene taking additional measurements for the rolved officers.	back to NCPD would be sobe  rviewed, Urzu subject matter ion. The inte was evidence. I told Urzu agreed to stay arate synopsize At this time, ne investigation	o the following the anoterview to anoterview that sill and talled states.  Detection. Detection.	llowing day nore coherented to be in the character was captured be was not under the was not under the character of the chara	on 03-12 a slightly ive Nagle d on aud under arrive Nagle , Remme	2-04. I lowing better e and I lio and east and I. ers and walked
out the location of the inv vehicle to "stop," the loca	tive Grande the approximate locations of he colved officers, the location of the suspect vehicle when the involve uspect vehicle when the officers began to firoximate locations.	ehicle when the d officers pull	ne invol led out	lved officers and pointed	s shouted I their fin	l at the earms,
incident; "The car was goi	of the scene with she made the following right at them (the officers). It only turned a cop in the leg as he turned out."					
the apartment complex. T Street. told me the n compact disc player that 1 player reminded me of	alk through with she pointed out a whole male resident was conducting a "yard sale nale's name was said that he purchased from a male named "Richard. statement from the previous day all compact disc player to a white male inside	e" on the south t on 03-11-04, " con y. During her	n side o ment n stateme	f the 600 black showed her regarding the ent,	ock of Ea a silver o e compa old me s	ast 24 <sup>th</sup> colored act disc she and

Conlinued From: CRIME	San Diego Region Officer's Report Narrative			Page 4 of <sup>4</sup>	Case No. 0402679	
Code Section And Description	one incident only)	Date		Day of Week	Time	······································
PC / 187/664 / ATTEMPTED M Location Of Incident (Or Addres	URDER/DEGRÉÉ UNSPECIFIED	03/11/2004	City	THU	11:50 District	Beat
620 East 24th Street		·	NATION	IAL CITY		240
Person(s) Involved: Victim Harward, D					,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	<del></del>
Suspect (If Named)						
Ortiz, Richard Property Tag No.(s)	A CONTRACTOR OF THE CONTRACTOR					
omplex just prior to the sked Detective Nagle to book his statement. Detective For further information transported backwithin an interview room appounded the audio and ne up containing Ortiz' tatement on the NCPD backwithin and statement of the NCPD backwithin and statement of the NCPD backwithin and statement of the NCPD backwithin and statement of the NCPD backwithin and statement of the NCPD backwithin and state	ent, I suspected was possibly the person officer involved shooting. I called Detective respond and interview Detective Nagle ective Nagle also recovered a personal compation, refer to Detective Nagle's supplemental to NCPD to be interviewed. At about 1346 in the Investigations Division. The interviewed video tapes of the interview as evidence. I picture in the #5 position with five other "filled PD-660 Photo Line Up form. I then showed aid, "five." I asked "Who's number filled pocopy of an overhead picture of the crime seed totograph line up of Ortiz and the photocopy of statement, refer to the synopsized statement.	re Nagle and e later response disc plate report.  hours, Deto was capturing the interpretures.  the photon area to not the overhead the overh	d advised and inside a certive Natural on a certive Natural otograph of the certification of	ed him of the area, mede a silver collaboration and rid audio and rid w, I showed hed from of the hine up.	t with terviewe lee tape. er a phote admonication (Cons at the	tion.  are fro  d  I lat ographine l at ti Ortiz)
ollision involving the batteet. I spoke to not video tape. I later in I showed him a paine up and identified the briver that ran from the batter that ran from the later that a picture #3 I (Ortiz' picture). Usin	Ortiz was driving and the go in an interview room within the Investigations appounded the audio and video tapes of the inhotograph line up containing a picture of Ortiz people in pictures #3 (a filler picture) and #5 plue after the traffic collision and wooked more like the suspect driver that ran first a photocopy of the photograph line up, I had and dated the photocopy of the photograph ne up as evidence.	Id colored 's Division. Interview as one iz (picture # (Ortiz' pictor I yas later approm the blue d	'low ric The intervidence (5). (1) (ture) as prehender (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	der" vehicle a erview was ca e. During the looked at most looking ed by the political than the photographs l	ptured or e intervie the phot like the ce. erson in he identif	n aud n aud w win tograp suspe suspe sa pictur ied (#
	END OF REPORT					

Detective Robert A. Rounds National City Police Department Investigations Division

May 12, 2004

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Reporting Officer	1 (i) #	Division	Approved By	Date of Report	Time
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Continued From: CRIME	San Diego Region Officer's Repor Narrative			Page 1 of 1	Case No 0402679	
Code Section And Description (	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 East 24th Street			City NATION	VAL CITY	District	Beat 240
Person(s) Involved: Victim Harward, D Suspect (If Named) Orliz, Richard						
Property Tag No.(s) See Narralive						

# IMPOUNDED EVIDENCE

<u>TAG #</u>	DESCRIPTION
I0020139	One sketch and One photo line up completed by (Witness)
10020140	One photo line up completed by (Witness)
10020141	Two audiotapes and Two videotapes of interview with (Witness)
10020142	Two audiotapes and Two videotapes of interview with (Witness)
10021198	Two audiotapes and Two videotapes of interview with (Witness)
I0021199	Two audiotapes and Two videotapes of first interview with Maria Urzua (Rear Passenger in the suspect vehicle)
10021200	Two audiotapes and Two videotapes of interview with (Witness)
10021201	Two audiotapes and Two videotapes of second interview with Maria Urzua

### END OF REPORT

Detective Robert A. Rounds National City Police Department Investigations Division

May 13, 2004

Reporting Officer ROUNDS	ID #	Division	Approved By	Date of Report	Time
	360	INV	R. G. Triviz	05/13/2004	14:04
1 (5) 10 (1)					

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Continued From: OFFICER'S REPORT ONLY	San Diego San Diego Officer's			Page	Case Nu 0402679	
	Narra	tive		1 of 1	0402078	
Code Section And Description (	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Address 620 E 24TH STREET			City NATION	IAL CITY	District	Beat 246
Person(s) Involved: Victim HARWARD, D						
Suspect (If Named) ORTIZ, RICHARD						
Property Tag No.(s)						

# **Detective Follow-up Report**

On April 29, 2004, I interviewed  March 11, 2004, at about 1150 hours, at 620 E.	a witness of the Officer Involved Shooting that occurred on 24 Street. The interview with was obtained at the Chula Vista
Parole Office, 765 3 <sup>rd</sup> Ave., Suite 200. For furth synopsized statement report.	
After obtaining statement, he was shown the photo line-up and was unable to make an ide	a photo line-up containing Ortiz' picture in position #5. viewed

End of Report Detective E. Cordero

Reporting Officer E.CORDERO	ID #	Division	Approved By	Date of Report	Time
	336	INV	R. G. Triviz	05/17/2004	16:15

Costinued F. oar CRIME	San Diego Regio Officer's Repo			Page 1 of 2	Case Nu 0402679	
	Narrative	Date		Day of Week	Time	
Code Section And Description ( PC / 187*664 / ATTEMPTED M	one incident only) URDER/DEGREE UNSPECIFIED	03/11/2004		THU	11:50	<b>.</b>
Location Of Incident (Or Addres 620 East 24th Street			City NATION	NAL CITY	District	Beat 240
Person(s) Involved: Victim Harward, D						
Suspect (If Named)						
Ortiz, Richard Property Tag No.(s)		***************************************				
table of radionally						

# **DETECTIVE FOLLOW UP REPORT**

STATEMENT OF (Witness)
On 03-11-04, at about 1930 hours, Detective Nagle and I met with the Investigations Division. The interview was captured on audio and video tape. I later impounded the audio and video tapes of the interview as evidence.
The following is a synopsis of our interview with and is not all-inclusive. For further details, refer to the audio and/or video tapes of the interview.
Statement of (Witness) (Witness) is an extraction student at Sweetwater High School. On 03-11-04, (Witness) was in his class (Color of the classroom working on a video project. They were on their way back to the classroom, which was located near the north side of the campus, next to the 600-700 block of East 28 <sup>th</sup> Street.
As walked back to class, he looked between two buildings and out onto East 28 <sup>th</sup> Street. He saw a tan "low rider" vehicle parked facing east along the south curb of East 28 <sup>th</sup> Street. The "low rider" vehicle had just dropped off a female student.
At about the same moment, saw a blue, 4-door, travel southbound on F Avenue at a high rate of speed. The high speed at which the was traveling was part of the reason why attention was drawn out onto East 28 <sup>th</sup> Street.
The blue collided with the rear end of the tan "low rider" vehicle. Cannot remember which side of the tan "low rider" vehicle was struck. Cannot remember which not see anything to indicate that the blue tried to slow down before it collided with the tan "low rider" vehicle.
When the blue collided with the tan "low rider" vehicle, the female passenger that had just exited the "low rider" vehicle was thrown over the The female student landed on the ground near the blue
The blue was inoperable after the collision, but its engine was still accelerating.
The driver of the blue and a Hispanic male adult, exited the front driver's seat of the blue the driver ran away from the eastbound toward Highland Avenue.

Reporting Officer ROUNDS	ID# 360	Division INV	Approved By D. J. Grande	Date of Report 04/30/2004	Time 14:24	
11000					<u> </u>	

Continued From: CRIME	San Dieg	o Regional				
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	Nari	rative		2 of 2	0402679	9
Code Section And Description	one incident only)	Date		Day of Week THU	Time 11:50	
PC / 187'564 / ATTEMPTED N Location Of Incident (Or Addres	URDER/DEGRÉE UNSPECIFIED	03/11/2004	City	I INU	District	Beat
620 East 24th Street			NATION	AL CITY		240
Person(s) Involved: Victim Harward, D						
Suspect (If Named)						
Ortiz, Richard Property Tag No.(s)						·
Topary ray no.(s)	18-61-04			· · · · · · · · · · · · · · · · · · ·	ingelighte	
was wearing a bi	there he went. The driver was about or black shirt and blue denimere to see him again.	pants.	annot id	entify the dr	iver of the	ne blue
and that he did no The male in the fi	person (possibly a female) help did not see where the female t want to lose his leg. Saront passenger seat was a white mater own to the middle of his back.	came from. The mal	e was sa passeng	ying that he er was bleed	had been ing from	"shot" his leg
	teacher from the high school, "Mom is located next to classroom		to the v	white male p	assenger.	, "Mr
run east toward I wearing a black	w another Hispanic male passenge Highland Avenue. The male was and gray striped beanie cap, a ba identify the male from the rear driv	about 28 years old vaby blue short sleeve	vith a me shirt a	edium build. nd baggy bli	The ma	ıle was
	arrived on scene in 1-2 minutes. 16-7 police officers arrived,					
wearing handcuffs	w the police walking with a Hispa cannot say if the Hisp from the blue	panic male wearing th	e light bl	ue shirt was		
spoke police. A police of	to a coach from the high school, 'fficer gave aride to the	"Coach "" who police station to be in	o told hi terviewe	m he needed d.	l to speak	to the

END OF REPORT

Detective Robert A. Rounds National City Police Department Investigations Division

April 30, 2004

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
ROUNDS	360	INV	D. J. Grande	04/30/2004	14:24
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	•			Page 1 of <sup>2</sup>	0402679	
	Narrative Narrative	P-1-2				
Code Section And Description (c	one incident only) JRDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Address		1	City		District	Beat
620 E 24TH STREET			NATION	AL CITY		246
Person(s) Involved: Victim HARWARD, D						
Suspect (If Named)						
ORŤIZ, ŘÍCHARDÍ				water and the second second second second second second second second second second second second second second		
Property Tag No.(s)						
Office, 765 3 <sup>rd</sup> Ave., Sui impounded at the National	Detective Follow-up Repout 1310 hours, I interviewed to 200, Chula Vista. The interview with all City Police Department. The following is a impounded audiotape for additional information.	was cap	otured on	terview with	vhich wa	as later
Statement of						
lives at is across the street	from grandmother li	ves at				

On March 11, 2004, was at his grandmother's house. Stepped out the front door when he heard seven to ten consecutive gunshots fired coming from the north end of Olivewood Elementary School or from the south end of the apartment complex located north of the school. does not know the name of this apartment complex. After the gunshots stopped, saw an armed officer stand up near the northwest fence of Olivewood Elementary school parking lot. Could not remember which hand the officer had his gun in. The officer then ran to his vehicle parked on the southwest corner of E. 24<sup>th</sup> Street and F Ave. believes the officer was ducking down when he was shooting. View was obstructed by vehicles parked on the street; therefore, he was not sure if the officer was the shooter or if someone else was shooting at the officer. The only officer as being a white male adult, 28 to 35 years old, thin build, 165 to 180 lbs., 5'8" to 5'10", with blond or red hair.

then saw a blue peel out of the southwest parking lot of the apartment complex. The blue vehicle traveled southbound on F Ave., at a fast rate of speed. Based on the speed of this vehicle, knew the vehicle was not going to make the corner since the driver applied the brakes to late (F Ave., and E. 28<sup>th</sup> Street). The blue vehicle crashed into a gold low rider. looked over to the apartment and the school area and saw about twenty people on the ground. These individuals appeared to be ladies picking up there children from school. As checked to see that they were okay, the police officer he had seen earlier drove by southbound on F Ave.

described the driver of the blue vehicle as being a heavy Hispanic male adult, 20 to 25 years old, 180 to 200 lbs., with black hair believes the male driver was wearing a white shirt. did not see anyone else inside the blue vehicle as it drove south on F Ave. did not see which way the driver of this vehicle fled after the accident. and his grandfather walked to the accident site and saw what believed to be a student receiving medical attention on the sidewalk.

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	Officer's	Report	Page	Case No	
	Narra	itive	2 of 2	0402679	)
Code Section And Description (one in PC / 187*664 / ATTEMPTED MURDE		Date 03/11/2004	Day of Week THU	Time 11:50	
Location Of Incident (Or Address) 620 E 24TH STREET		Gi N	ty ATIONAL CITY	District	Beal 246
Person(s) Involved: Victim HARWARD, D			What is the second seco		
Suspect (If Named) ORTIZ, RICHARD	And the state of t			······································	
Property Tag No.(s)					······································
<u></u>					······································
had not seen the identify the suspect if	blue vehicle in the neighborhooseen again.	od before the shooting.	believes he	night be	able t
The interview concluded at 13	29 hours.				
After interviewing he approve to NCPD.	greed to come down to the Nati	onal City Police Depart	ment to look at a	photo line	e-up.
	a few more questions regulated him a photo line-up contain			d him the	phot

The interview at NCPD was concluded at 1400 hours.

	Impoun	ded	Evidence
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Tag No.

Description

I0021428

One audiotape containing the interview with

End of Report

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	Narrative		1 of 9	0402679	
Code Section And Description (one incident only)	Date		Day of Week	Time	
PC / 684 / ATTEMPT QUALIFIER	03/11/2004		THU	11:50	
Location Of Incident (Or Address) 620 E. 24TH ST		City NATION	AL CITY	District	Beat 246
Person(s) Involved: Victim					
HARWARD, D					
Suspect (If Named)					
ORTIZ, RICHARD				····	
Property Tag No.(s)					

#### DETECTIVE FOLLOW-UP:

On Thursday, 03/11/2004, at 1200 hours, I responded to the area E.24<sup>th</sup> Street and F Avenue reference a radio call of shots fired and outstanding carjacking suspects. Upon arrival, I met with Detective M. Remmers in the 600 block of E. 24<sup>th</sup> Street. Remmers explained that one of the suspects was outstanding in the area. I stayed at that location to maintain the northern perimeter of the area where one of the suspects had last been seen. Shortly afterward, this suspect was located and taken into custody. I then responded to the 2400 block of F Avenue to brief with the other detectives.

Detective D. Grande was the case agent for this investigation. Detective Grande requested that I conduct the scene investigation in the 2400 block of F Avenue and the parking lot of the Royal Apartments, located at the southeast corner of E. 24<sup>th</sup> Street and F Avenue.

The crime scene was cordoned off with yellow crime scene tape and guarded by patrol officers and police service officers.

While waiting for the briefing, the the three three for the Royal Apartments), came out to the west side of the apartments and told me that she had witnessed the suspects trying to run over the officers. Stated that she was driving through the apartments south parking lot, when she saw the suspect vehicle drive straight toward the officers. Saw the officers fire their weapons at the suspect vehicle. Saw the suspect vehicle clip one of the officers as it drove by the officers. I obtained personal information and advised her that one of the detectives would be contacting her shortly to obtain a detailed statement.

At around 1300 hours, Investigations Sergeant R. Triviz gave the detectives at the scene a briefing on the information obtained so far. Sergeant Triviz explained that Officer Shanahan took a carjacking report, earlier today. The carjacking occurred the night before at around 2330 hours. Prior to the report being entered into the stolen vehicle system, Police Service Officer Caranza located the vehicle in the alley at 1800 Wilson. PSO Caranza saw two suspects were working on the vehicle. Unaware that the vehicle was stolen, PSO Caranza told the suspects to move the vehicle out of the alley. A short time later, The Dispatch Center broadcasted the crime and suspect information over the radio, and officers began checking the area. Officers D. Harward and C. Miller located the vehicle in the south parking lot of the Royal Apartments, at 620 E. 24<sup>th</sup> Street. As the officers approached the vehicle, on foot, the suspects accelerated the stolen vehicle directly at the officers, attempting to run them down. Both officers fired their handguns at the suspects, in an attempt to stop them. The vehicle continued past the officers, exited the parking lot, and turned south onto F Avenue. The suspects drove south on F Avenue, toward Sweetwater High School. Upon reaching the intersection of F Avenue and E. 28<sup>th</sup> Street, the suspect vehicle collided with another vehicle. There were a total of three occupants in the suspect vehicle.

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Gode Section And Description (one incident of PC / 664 / ATTEMPT QUALIFIER	only)	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Address) 620 E. 24TH ST			Cily NATION	IAL CITY	District	Beat 246
Person(s) Involved: Victim HARWARD, D						
Suspect (If Named) ORTIZ, RICHARD						
Property Tag No.(s)						

Two of the occupants in the stolen vehicle were taken into custody at the collision scene. The driver of the stolen vehicle ran and was later found hiding near a residence at 631 E. 28<sup>th</sup> Street.

Detective Grande assigned Property & Evidence Specialist (PES) April Flores to assist me conduct the crime scene investigation in the apartment parking lot at 620 E. 24<sup>th</sup> Street. Detective J. Meeks and Crime Scene Specialist (CSS) A. Chavez were assigned to conduct the scene investigation at 631 E. 28<sup>th</sup> Street and process the suspects for evidence. Officer Geidel from the Traffic Unit was assigned to conduct the hit and run investigation.

#### Crime Scene Investigation:

The Royal Apartments are a multi-building apartment complex located at the southeast corner of the intersection of E. 24<sup>th</sup> Street and F Avenue. The main parking lot for apartments runs along the east and south sides of the complex. The parking lot has only two exits, one on E. 24<sup>th</sup> Street and one on F Avenue. The parking lot has a single row of parking stalls on either side of the driveway.

At around 1332, detectives conducted walk-through and search of the crime scene. Detectives conducted a strip search (by forming a scrimmage line, and walking several feet apart) of the parking lot for evidence. Refer to the log maintained by Officer A. Hernandez for the names of those who entered the crime scene. The detectives continued the search by checking Olivewood Elementary School, which is located directly south of the apartment complex. Detectives then searched the street and sidewalks of F Avenue from the 2400 block to the E. 26<sup>th</sup> Street.

Located in the in apartment parking lot were (9) expended casings. I saw tire acceleration marks down the center of the driveway. The tire marks continuing out of the exit and onto F Avenue, where there were centrifugal tire scuff marks (which were caused by a vehicle turning south onto F Avenue, at a speed great enough for the vehicle to lose traction). Located at Olivewood Elementary school was a possible projectile strike on the wood trim near the roof of the building located east of the parking lot. Refer to attached diagram for location of evidence.

I photographed the scene using a Sony Mavica digital camera. This camera records the digital images onto a recordable compact disc (CDR). I later impounded this CDR into evidence. PES Flores also photographed the scene using a 35mm camera. Flores and I then documented and measured the scene. I used a Station Line to obtain the scene measurements. The Station Line was run in a northerly direction, along the east side of the east sidewalk on F Avenue. The zero point on the Station Line was positioned inline with the northwest corner of the parking lot at Olivewood Elementary School. The zero point measured 310' 6" north of the elongation of the north curbline of E. 26<sup>th</sup> Street, and 12' 7" east of the east curbline of F Avenue.

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PES Flores then collected the evidence and impounded it at NCPD. PES Flores and I completed the crime scene investigation at around 1715 hours.

### EVIDENCE LEGEND

Item	Description	X coordinate (east	Y coordinate
#		or west of S.L.)	Station Line (S.L)
1	Expended casing cal.	9' 08" east of	52' 06"
2	Expended casing cal.	11' 06" east of	57' 04"
3	Expended casing cal.	17' 00" east of	54' 02"
4	Expended casing cal.	17' 08" east of	44' 08"
5	Expended casing cal.	5' 09" east of	39' 10"
6	Expended casing cal.	14' 10" east of	33' 05"
7	Expended casing	16' 06" east of	23' 03"
8	Expended casing	18' 10" east of	26' 06"
9	Expended casing cal.	30' 01" east of	43' 02"
A 1	Tire mark (end)	-43' 00" west of	-38' 00"
A 2	Tire mark (mid-point)	-45' 07" west of	-25' 04"
A 3	Tire mark (mid-point)	-45' 03'' west of	-17' 03"
A 4	Tire mark (mid-point)	-40' 06" west of	- 2' 10"
A 5	Tire mark (mid-point)	-29' 06" west of	+18' 06"
A 6	Tire mark (mid-point)	-21' 01" west of	+24' 03"
B 1	Tire mark (end)	-47' 00" west of	-38' 05"
В2	Tire mark (mid-point)	-48' 00" west of	-26' 07"
В3	Tire mark (mid-point)	-48' 04" west of	-17' 03"
B 4	Tire mark (mid-point)	-43' 03" west of	- 2' 10"
В 5	Tire mark (mid-point)	-25' 11" west of	+18' 06"
В6	Tire mark (mid-point)	-16' 05" west of	+24' 00"
C 1	Tire mark (end)	-49' 06" west of	-17' 03"
C 2	Tire mark (mid-point)	-45' 03" west of	- 2' 10"
C 3	Tire mark (mid-point)	-20' 04" west of	+18' 06"
C 4	Tire mark (mid-point)	-14' 00" west of	+21' 05"
C 5	Tire mark (mid-point)	0' 00"	+25' 00"
C 6	Tire mark (mid-point)	+11' 09" east of	+26' 00"
C 7	Tire mark (mid-point)	+72' 01" east of	+25' 09"
C 8	Tire mark (begin)	+163' 04" east of	+23' 00"

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Code Section And Description (o PC / 664 / ATTEMPT QUALIFIER		Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Address 620 E. 24TH ST	)		Gity NATION	AL CITY	District	Beat 246
Person(s) Involved: Victim HARWARD, D						
Suspect (If Named) ORTIZ, RICHARD						
Property Tag No.(s)						

D	Impact mark on school building	+115' 06" east of	-112' 00"
	Additional measurements for item		
	D: 8' 10" above the ground and 4'	-	
	2" north of south wall		

Follow-up continued:

On 03/11/2004 at around 1840 hours, I assisted PES Flores collected evidence from Officer C. Miller. We used the CSS office at NCPD as our work area. Per Detective Grande's request, PES Flores conducted a gunshot residue (GSR) test on Officer Miller's hands. I then collected Officer Miller's uniform shirt, uniform pants, dress belt, utility belt, and boots. These items were turned over to PES Flores to be processed for evidence.

At around 1950 hours, I assisted PES Flores collect evidence from Officer D. Harward. Flores also conducted a GSR test on Harward's hands. Officer Harward's uniform shirt, pants, belts, and boots were also collected and turned over to PES Flores for evidence processing.

Vehicle Inspection:

On Friday, 03/12/2004 at around 1005 hours, I went to the underground parking garage to inspect the suspect vehicle. The vehicle was secured inside the vehicle evidence cage of the Property and Evidence Unit. The vehicle was a blue 1986 four-door sedan, bearing California license plates:

Detective Meeks photographed the vehicle with a digital camera. PES Flores photographed the vehicle with a 35mm camera.

I conducted a walk around of the vehicle and observed that the right rear tail light was on, the gear shift was in the 'Drive' position, the emergency brake was off, the key was in the ignition, and the airbag in the steering wheel was deployed. There front of the vehicle had damage, as a result of the collision at E. 28<sup>th</sup> and F Avenue. The majority of the damage was to the right front bumper and fender. This caused the hood to buckle and fold upward.

The windshield had impact damage on the upper left corner (driver's side). The impact damage was outward and appears to be caused by the driver's head impacting the windshield. The rear window on the vehicle was tinted and intact. The driver's side window was in a down position and tinted. The left rear side window was down and tinted. The right front side window was down and was tinted. The right rear side window was 3¼ up, tinted, and had a projectile hole through it. The right rear quarter window was intact and tinted.

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1	an Diego Regional Officer's Report Narrative	Page 5 of 9	Case N 040267	
Cade Section And Description (one incident only) PC / 664 / ATTEMPT QUALIFIER	Date 03/11/2004	Day of Week THU	Time 11:50	
Location Of Incident (Or Address) 620 E. 24TH ST		ITY ATIONAL CITY	District	Beat 246
Person(s) Involved: Victim HARWARD, D Suspect (If Named) ORTIZ, RICHARD				
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I observed six projectile holes in the vehicle. There were two holes (evidence markers 1 and 2) in the hood (above the engine compartment). The bullets from these holes appeared to continue into the engine compartment.

There was a projectile hole (evidence item 3) through the front windshield, which continued through the dashboard, and struck to the back of the steering wheel. I saw a light gray mark on the back of the steering wheel, which appeared to be caused by a bullet strike. This mark lined up with the exit hole from the dashboard, when the steering wheel was turned to the right (approximately one quarter of a turn). Upon examining the hole in the dashboard, a piece of copper jacketing from a bullet was found lodged in the exit hole. I removed the copper jacketing with forceps and gave it to PES Flores, who impounded it into evidence.

There was a projectile hole (evidence item # 4) in the right rear passenger window. There was another hole that entered the right side of the headrest of the front passenger seat and exited the front of the headrest. It appears that these holes were made by the same projectile. The front passenger seat had been pushed forward during the collision. The tracks for the seat were bent, which prevented the seat being pushed back to check the alignment of the projectile holes. It appears that if the seat were reclined back in a normal seating position, the hole in the headrest would be in the same position as the hole in the right rear passenger window.

There was a projectile hole in the right rear passenger door (evidence marker # 5). The entry hole was near the rear edge of the door. This projectile appeared to enter the vehicle in a slight left to right angle, and then deflected to an extreme right angle, upon striking doorframe. This projectile continued until striking the trailing edge of the right rear door. It appears that the projectile lodged between the door and the frame. The projectile was not present and may have fallen out at some point, when the door was opened earlier (possibly when the passenger exited the vehicle after the collision).

There was a projectile hole (evidence marker #6) in the roof, above the left rear passenger window. The hole penetrated the hollow frame of the roof and there was no exit hole found.

Detective Meeks searched the interior of this vehicle and found the following items:

- A black hooded sweatshirt with "San Diego Classick" in light gray lettering on the front, and "San Diego Classick" on the hood. The sweatshirt was located on the driver's seat.
- Red fluid stain (that appeared to be blood) on the interior of the front passenger door, near the door latch. PES Flores took swabs from this stain.
- A tan colored rug was found on the back seat.
- On top of the rug was a blue nylon bag (with the "Miles" in white lettering on the front). Inside the bag was an olive drab vest.
- A Teac CD player (model PD485, serial # 111492) was found on the back seat, on the left side, upside down.

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Location Of Incident (Or Address) 620 E. 24TH ST		Gity NATIONAL CITY	District	Beat 246
Person(s) Involved: Victim HARWARD, D				
Suspect (If Named) ORTIZ, RICHARD				
Property Tag No.(s)				

- A pink plastic "Betty Boop" coin purse was found on the back seat, in front of the CD player.
- A green nylon shower bag was found on the right rear floorboard. Inside the bag were numerous small baggies (approximately ½ x ½ inches), which are commonly used to package and distribute controlled substances, such as methamphetamines. (2) of the baggies had white powder residue inside them.
- Also located next to this clear plastic plate, which was broken in half.
- A vehicle jack (scissor type) was found underneath the driver's seat.
- A black plastic cell phone holder was found on the right rear floorboard.
- A screwdriver (phillips head) was found on the right rear floorboard.
- A box cutter was found in the center consol.
- In the trunk were the miscellaneous items: a hitch, a windshield sunshade, a bag of charcoal, (2) empty plastic one gallon bottles, (2) hangers, a children's book (Ralph's Secret Weapon), and a spare tire.

After searching the interior of the vehicle, PES Flores dusted the vehicle for latent fingerprints.

pointed out the locations of where she believed Officers Harward and Miller were at, when the suspects attempted to run them down. PES Flores took photographs from position. I stood in the position believed Officer Harward was standing and Detective Remmers stood where Officer Miller was standing.	At around 1025 hours, I also examined the patrol vehicles driven by Officers Harward and Miller. Both vehicles had been parked in the underground parking facility at NCPD. Miller's vehicle was unit 370, with California license plates:  Both patrol cars were Ford Crown Victoria Police Interceptors. I found nothing inside either vehicle out of the ordinary. The only additional weapons found in the vehicles were the shotguns and rifles assigned to each vehicle. Both vehicles had equipment inside, that belonging to each of the officers. At around 1030 hours, PES Flores conducted gunshot residue test on the interior and exterior of the driver's doors of both patrol cars. At around 1045 hours, we continued to process the suspect vehicle.
	At around 1210 hours, Detective Remmers requested that I respond to 620 E. 24 <sup>th</sup> Street. Detective Remmers and Grande were conducting a walk through of the scene. Upon arrival, Detective Rounds brought witness, out to the scene to have her show us where she was at, when she witnessed the incident. also pointed out the locations of where she believed Officers Harward and Miller were at, when the suspects attempted to run them down. PES Flores took photographs from position. I stood in the position believed Officer Harward was standing and Detective Remmers stood where Officer Miller was standing. also pointed out locations in the parking lot where she believed the suspect vehicle was parked, where it was at when the officers drew their handguns, and where it was at when the officers first fired their weapons. Detective Grande marked the locations on the parking lot, with a piece of yellow chalk, (following directions). PES Flores then measured these locations in the parking lot, using a 'Rol-a-tape'. The southwest corner of the apartment building (620 E. 24 <sup>th</sup> Street) located on the north side of the parking lot was used as a

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Location Of Incident (Or Address) 620 E 24TH ST			City NATIONAL CITY	District	Beat 246
Person(s) Involved: Victim HARWARD, D				gggggggggggggggggggggggggggggggggggggg	
Suspect (if Named) ORTIZ, RICHARD					
Property Tag No.(s)					

#### MEASUREMENT LOG

Item	Description	West wall of apartment building 620 E. 24 <sup>th</sup> St.	South wall of building 620 E. 24 <sup>th</sup> St.
Е	Location of Officer Miller, per witness	5' 04" East of	25' 09" South of
F	Location of Officer Harward, per witness	10' 04" East of	31' 04" South of
G	Location of suspect vehicle when first shot was fired.	28' 03" East of	32' 00" South of
Н	Location of suspect vehicle when officers drew their guns	54' 01" East of	32' 06" South of
I	Location of witness	109' 4" East of	43' 10" South of
J	Location of suspect vehicle in parking stall.	91' 01" East of	17' 10" South of

PES Flores also measured the following distances (according to witness ):

- Officer Harward's position to the suspect vehicle, when he pointed his handgun at the suspect and ordered him to stop. This measured 43 feet, 5 inches.
- Officer Miller's position to the suspect vehicle, when he pointed his handgun at the suspect and ordered him to stop. This measured 48 feet, 3 inches.
- Officer Harward's position to the suspect vehicle, when the first shot was fired. This measured 18 feet, 2 inches.
- Officer Miller's position to the suspect vehicle, when the first shot was fired. This measured 22 feet, 9 inches.

We also placed traffic cones on the tire mark in the parking lot, so that PES Flores could photograph the path of the tire marks.

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Code Section And Description (one incident only) PC / 664 / ATTEMPT QUALIFIER Location Of Incident (Or Address) 620 E. 24TH ST	1	Day of Week THU City NATIONAL CITY	Time 11:50 District	Beat 246
Person(s) Involved: Victim HARWARD, D Suspect (If Named) ORTIZ, RICHARD Property Tag No.(s)				

Flores and I also measured the centrifugal scuff marks in the roadway. I obtained a cord length of 65 feet and a middle ordinate of 13 feet, 6 inches.

I estimated the minimum speed of the suspect vehicle at the point it left the centrifugal scuff marks on the roadway, using the principles of uniform circular motion. Based upon the calculations listed below, I determined the minimum speed to be 21 mph.

R = radius

M = middle ordinate

C = Chord

V = velocity

G = gravity

 $\mu = \square \operatorname{drag} \operatorname{factor}$ 

The Pythagorean Theorem states:

$$R = \frac{C^2}{8M} + \frac{M}{2}$$

$$R = \frac{65^2}{(8)(13.5)} + \frac{13}{2}$$

$$R = \frac{4225}{108} + 6.75$$

$$R = 39.120 + 6.75$$

$$R = 45.87$$

Formula for estimating the velocity of a vehicle in uniform circular motion:

$$V = \sqrt{Rg\mu}$$

$$V = \sqrt{(45.87)(32.2 fps^2)(0.7)}$$

$$V = \sqrt{1033.91}$$

$$V = 32.15 fps$$

$$V = (32.15 fps) \left(\frac{15}{22}\right)$$

$$V = 21 \text{ mph}$$

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Cade Section And Description (one incident only) PC / 664 / ATTEMPT QUALIFIER	Date		Day of Week	Time	
	03/11/2004	,	THU	11:50	
Location Of Incident (Or Address) 620 E. 24TH ST		City NATION	AL CITY	District	Beat 246
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Person(s) Involved: Victim					
HARWARD, D					
Suspect (If Named)					
ORTIZ, RICHARD					
Property Tag No.(s)				<del></del>	

Follow-up Vehicle Inspection:

On Monday, 03/29/2004, I removed the hood from the by having National City Public Works Mechanic Patrick McDaniels cut the brackets holding the hood. Once the hood was removed, I saw a projectile hole the entered the firewall. I also saw what appeared to be melted lead on the exhaust manifold of the engine (possibly from the other projectile that went through the hood).

On Tuesday, 03/30/2004, at around 0800 hours, Criminalist Lance Martini, from the San Diego Sheriff's Crime Laboratory, came to NCPD to conduct trajectory analysis on the Sheriff's Evidence Tech Marie Durina assisted by taking photographs.

On Friday, 04/02/2004, at around 0900 hours, National City Fire Department, Truck 34 (Captain Kevin Killacky, Engineer Ben Garcia, Firefighter Ernesto Diaz, and Firefighter Paul Kane) came to NCPD at my request, to assist in retrieving projectiles that may be lodged inside the The roof was cut along the drivers side roof line (near evidence marker #6). After roof was cut, I saw no projectiles inside the hollow area running along the edge of the roof. I concluded that the projectile must have bounced out, upon striking the roof.

The projectile hole in the firewall was examined. Located behind the firewall at this location was cover to the heater coil. The cover was cut open and inside was a large caliber copper jacketed bullet. PES Flores photographed the bullet in place. I then retrieved it and gave it to Flores to impound.

## **EVIDENCE:**

TAG# DESCRIPTION

I0019856 CDR with digital images from crime scene.

I0019857 CDR with digital images of the suspect vehicle.

I0019858 Field notes from the crime scene investigation and vehicle inspection.

Prepared by: Detective K. Gelskey #277

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K. GELSKEY	277	INV	D. J. Grande	04/08/2004	10:51
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# SAN DIEGO REGIONAL ADDITIONAL VICTIMS AND/OR WITNESSES AND OTHER PEOPLE ASSOCIATED WITH THE CRIME PAGE

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Continued From: OFFICER'S REPORT ONLY	San Diego Regional Officer's Report Narrative				Case Nu 0402679	
Code Section And Description (one i PC / 187'664 / ATTEMPTED MURD	ncident only) ER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Address) 620 E 24TH STREET			Cily NATION	NAL CITY	District	Beat 246
Person(s) Involved: Victim ORTIZ, RICHARD Suspect (if Named) HARWARD, D						
Property Tag No.(s)						

## **Detective Follow-up Report**

On March 11, 2004, at about 1200 hours, NCPD Detectives responded to 620 E. 24th Street to investigate a report of an Officer Involved Shooting. Upon my arrival, I was informed that Officers D. Harward and C. Miller were involved in an Officer Involved Shooting in the south parking lot of 620 E. 24<sup>th</sup> Street, National City, after the suspect, **Richard**Ortiz tried running them over in a stolen vehicle. I was also informed that Ortiz had crashed in the area of E. 28<sup>th</sup> Street and F Ave., prior to fleeing on foot. Ortiz was subsequently arrested in the yard of 631 E. 28th Street.

interviewed by detectives.	s to the National City Police Department to be
At about 1447 hours, Detective Rounds and I interviewed Department Investigations Interview Room B. The interview with was later impounded at the National City Police Department.	(witness) at the National City Police was captured on audio and videotape, which
On March 24, 2004, Detective Grande handed me a photo line-up of was in the #5 position of the photo line-up with five other "filler" pand show him the photo line-up. Detective Grande also requested School, 2900 Highland Ave. Detective Grande had information the 28 <sup>th</sup> Street and F Ave.	Dictures. Detective Grande requested I contact I contact Coach from Sweetwater High
On March 25, 2004, at about 1156 hours came into the Natio photographic line-up admonishment and handed him the photo line however, he could not make an identification.	

On April 22, 2004, at about 0900 hours, I contacted at Sweetwater High School, 2900 Highland Ave. I of our investigation. arrived after the police were at the scene and did not witness the shooting or accident; therefore, he could not provide information regarding this investigation.

End of Report Detective E. Cordero

Reporting Officer E.CORDERO	ID#	Division	Approved By	Date of Report	Time
	336	INV	R. G. Triviz	04/26/2004	15:38

# SAN DIEGO REGIONAL ADDITIONAL VICTIMS AND/OR WITNESSES AND OTHER PEOPLE ASSOCIATED WITH THE CRIME

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# SAN DIEGO REGIONAL ADDITIONAL VICTIMS AND/OR WITNESSES AND OTHER PEOPLE ASSOCIATED WITH THE CRIME

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Contin 3 From CRIME	San Diego Regional Officer's Report Narrative			Page 1 of 3	Case Nu 0402679	
Code Section And Description (one incident only) PC / 187*664 / ATTEMPTED MURDER/DEGREE	UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Address) 620 East 24th Street			City NATION	IAL CITY	District	Beal 240
Person(s) Involved: Victim Harward, D.						
Suspect (If Named) Ortiz, Richard						
Property Tag No.(s)						
				<del> </del>	**************************************	***************************************

## **DETECTIVE FOLLOW UP REPORT**

STATEMENT OF (Witness)
On 03-25-04, at about 1245 hours, (Witness) came to NCPD to be interviewed. (Was present in the area of East 28 <sup>th</sup> Street and F Avenue on 03-11-04, at about 1150 hours.
interviewed in an interview room within the Investigations Division. The interview was captured on audio and video tape. I later impounded the audio and video tapes of the interview at NCPD as evidence. The following is a synopsis of the interview with and is not all-inclusive. For further details, refer to the audio and /or video tapes of the interview.
Statement of (Witness): On 03-11-04, at about 1150 hours, was parked and seated in the driver seat of his 1998 hours, near Sweetwater High School. He was parked on the north side of East 28 <sup>th</sup> Street, facing west, about two car lengths east of F Avenue. His vehicle's engine and radio were turned off and his driver side window was down. was alone in his vehicle. He was parked in the area because he was going to pick up his girlfriend, who is a student at Sweetwater High School.
heard the sound of a vehicle engine "revving" loudly. Could not see the vehicle that was making the revving sound. The sound seemed to be coming from F Avenue, north of East 28 <sup>th</sup> Street. The revving sounded like it was moving southbound on F Avenue, traveling in direction. Could did not hear any gunshots in the area prior to hearing the revving engine sound.
As the revving sound came closer, when heard the sound of screeching tires. It sounded like someone was applying a vehicle's brakes very hard. Saw a black, four-door sedan (possibly an 1994, 's seda
The front end of the collided with the rear driver side fender area of the low rider vehicle. The low rider vehicle "turned" around from the force of being hit by the collider which the low rider vehicle stopped facing in a north or northwest direction. The also "turned around" and stopped facing eastbound. cannot estimate how fast the was traveling when it collided with the low rider vehicle.

Reporting Officer	1D#	Division	Approved By	Date of Report	Time			
ROUNDS	360	INA	R. G. Triviz	04/27/2004	08:04			

Contine of From: CRIME  San Diego Regional						
CINIMIL.	Officer's Repor Narrative	t	Page . 2 of <sup>3</sup>	Case No 040267		
Code Section And Description (	one incident only)	Date 03/11/2004	Day of Week	Time 11:50		
Location Of Incident (Or Addres 620 East 24th Street	URDER/DEGRÉE UNSPECIFIED s)	[ 03/17/2009	Gily NATIONAL CITY	District	Beat 240	
Person(s) Involved: Victim				······································	***************************************	
Harward, D. Suspect (If Named)			W. H. S. W.	· · · · · · · · · · · · · · · · · · ·		
Orliz, Richard Property Tag No.(s)			And the second s			
rider vehicle's fent 10-15 feet. She la saw the dricolored denim parable to force the dinjured because he Suspect #1 ran awrider vehicle. He ran east on East 2 from as he going. I did tall "bushes" (hed ran north, toward to turned backduring the collision One police car arriteacher from the head walked over police officer stanfled. I point was standing behinded.	male student from the low rider vehicle get ander pushing her when it was struck by the inded on the south sidewalk of East 28th Street ats. Suspect #1 tried to force the front driver oor open and get out of the front driver seat was limping as he began to run away.  The structure of the collision scene without stopping and north to the north sidewalk of East 28th Street past the passenger side of ran past.  The turned in his seat and looked in not take his eyes off Suspect #1 as he ran a ges) that were located next to a pink house the rear of the pink house and out of sight.  The structure of the pink house and out of sight.  The structure of the pink house and started to include the pink house and out of sight.  The structure of the pink house and started to include the pink house and out of sight.  The structure of the pink house on the police of the pink house of the pink house on the north of the security guard heard talking. The pect #1.  The saw several police officers governed the security guard heard talking. The pect #1.	spanic male, side door of of the did not se g to check or Street, west of vehicle. Sed over his saway. He saway. He saway. He saway arrived in the fence bor the security h side of Eas The police of	wearing a baby blue the Suspect #1 lee any blood on Suspect #1 was about houlder to see when we suspect #1 run is side of East 28th State the female studenthe decided to go base right behind the five to the ground during the high scheduler to saw st 18th Street. The officer told other political studenthe saw st 18th Street. The officer told other political studenthe saw st 18th Street. The officer told other political studenthe saw st 18th Street. The officer told other political studenthe saw st 18th Street.	t that was ack to his virst.  cool. Therewhere the police officers	nd dark #1 was he was the low #1 then Is away #1 was 7-8 foot pect #1 thrown vehicle. saw a ollision. e was a suspect cer that s where	
Another police off Detective Hart ask	ficer (detective) showed up moments later.  led to show him exactly where he saw west of the pink house. Detective Hart and a	w Suspect #1	run. direct	ed Detecti	ve Hart	
	the second officer were behind the house buspect #1 in custody (with his hands behind					

Approved By R. G. Triviz

Division VNI

1D # 360

Reporting Officer ROUNDS Time 08:04

Date of Report 04/27/2004

Continued From: CRIME	San Diego	****				
	Officer': Narr	•		'age 3 of <sup>3</sup>	Case No 0402671	
Code Section And Description (one in	ncident only)	Date		ay of Week	Time	***************************************
PC / 187*664 / ATTEMPTED MURDI Location Of Incident (Or Address)	ER/DEGREE UNSPECIFIED	03/11/2004	Gity	HU	11:50 District	Beat
620 East 24th Street	variation and the second secon		NATIONAL	CITY		240
Person(s) Involved: Victim Harward, D.						
Suspect (If Named) Orliz, Richard						
Property Tag No.(s)		A		***************************************		
He was the same male Suspect #1 was a Hisp heavy build. Suspect black beanie cap. Suspect #1 was wear police arrested behind seat of the After the collision, seated in the front pa ambulance arrived on	saw run from the saw run from the saw run eastbound past vanic male adult, about 21-22 year #1 had dark colored skin and spect #1 had a dark complexion on ga baby blue t-shirt, dark control the house on East 28 <sup>th</sup> Street is saw there was also a secons saw there was also a secons seen grant from the same saw there was also a secons seen. Suspect #2 was complained did not get close enough	his vehicle.  ears old. He was about short black or dark it.  does not remote denim pants. It is the same male (Suspect #2 remaining of pain to his le	ut 5'7" tall brown hair nember if coect #1) he cained insings. Suspe	d, about 300 r underneat Suspect #1 s certain the saw run fr	pounds, h a tight had faci at the m com the c	with a fitting al hair ale the driver's #2 was atil and eamed
Suspect #2 was a whi medium build.	te male adult, about 23-24 year could not describe Suspect #2 i	s old. He was about n further detail.	t 5'8" tall,	about 170	pounds,	with a
the #5 position of the photond identified the people in passaid the person in photon	statement, I showed him a pograph line up with five other shotographs #3 (filler picture) ograph #3 looked more like Suphs he identified (#3 and #5).	'filler" pictures. and #5 (Ortiz' pictur spect #1. Using a ph	looked e) as mos otocopy o	at the pho t looking li f the photo	tograph ike Susp graph lin	line up ect #1 ie up, ]
ater impounded the original	signed copy of the photograph	line up at NCPD as ev	vidence.			
	END OF R	EPORT				
etective Robert A. Rounds	ent					

De Na

Investigations Division

April 21, 2004

I

Reporting Officer	ID #	Division	Approved By	Date of Report	Time
ROUNDS	360	INV	R. G. Triviz	04/27/2004	08:04
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	San Diego Regional Officer's Report Narrative				
Code Section And Description (one incident only) PC / 187*684 / ATTEMPTED MURDER/DEGREE UNSPECIFIED	Date 03/11/2004	Day of Week THU	Time 11:50		
Location OI Incident (Or Address) 620 E. 2TH ST		Oly NATIONAL CITY	District	Веаt 246	
Person(s) Involved: Victim MILLER / HARWARD, Suspect (If Named) ORTIZ, RICHARD					
Property Tag No.(s)		MARKET STATE OF THE STATE OF TH		-	

## **DETECTIVE FOLLOW-UP**

On March 11, 2004, I heard over the police radio that NCPD officers were actively searching for an outstanding suspect that was wanted for Carjacking. Two NCPD officers had fired their weapons at the suspect vehicle during the incident when the suspect tried to run them down with his stolen vehicle at 620 E. 24<sup>th</sup> Street, National City. I responded to the area of F Avenue and E. 24<sup>th</sup> Street to assist in the search for the suspect.

Upon my arrival, NCPD Detective Meeks and I assisted in securing the perimeter in the area of E. 28<sup>th</sup> Street and G Avenue when the suspect, later identified as **Richard Ortiz**, was captured. Afterward, I received an incident briefing from the on-scene commanders and was assigned to assist in locating evidence in the surrounding area.

During my check of the surrounding area, I spoke with the surrounding area.	al
City. Her residence is located of and the street from the south parking lot of 620 E. 24th Street	t.
told me she was home inside of her residence babysitting her the niece. No one else was	
home. heard the sound of a car engine loudly racing and then approximately four gunshots. She d	id
not see or hear anything else. said she did not witness the shooting incident or see what the vehicle	ė
looked like that sped away. could not provide any further details.	-

I did not locate any items of the evidence.

Detective Grande and I were assigned to interview NCPD Officers Miller and Harward (Victims). The interviews took place in one of the interview rooms at NCPD in the Investigations Division and they were captured on audio and videotapes. Officer Miller was first to be interviewed (1700 hours) and then Officer Harward (1837 hours). See attached statement for details.

Detective Grande and I attempted to interview Richard "Joker" Ortiz (Suspect) at NCPD. Ortiz was Mirandized, and he invoked (2030 hours).

On March 12, 2004, at about 1150 hours, Detective Grande conducted a scene walk-through with Officers Harward and Miller at 620 E. 24<sup>th</sup> Street. I videotaped the walk-through using a Hi-8mm video camera. *Refer to Detective Grande's report for details.* 

On March 12, 2004, at about 1515 hours, I went to UCSD Hospital and spoke with Dr. the attending physician for (Suspect). Dr. told me that sustained two gunshot wounds: (1) Gunshot wound to the left leg that shattered his femur and other bones around his knee, (1) Gunshot wound (through-and-through) to his upper back. The gunshot wounds were non-life threatening. I used a

( ) ( )		Y			
Reporting Officer	1D#	I Division	Approved By	Date of Report	
BA COMBANAMINE	63.4		i delatored mil	mare or report	Time
M REMMERS	344	LINV	R, G, Triviz	04/05/2004	17:52
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CRIME	San Diego Regional Officer's Report Narrative 2 2 of					ımber
Code Section And Description (one incident PC / 187'664 / ATTEMPTED MURDER/DE		Date 03/11/2004	The same of the sa	Day of Week THU	Time 11:50	
Location Of Incident (Or Address) 620 E 2TH ST			City NATION	IAL CITY	District	8ea 246
Person(s) Involved: Victim			<u> </u>		<u> </u>	L
MILLER / HARWARD, Susped (If Named)			· · · · · · · · · · · · · · · · · · ·	NOTE OF THE PROPERTY OF THE PR	····	
ORTIZ, RICHARD						
Property Tag No.(s)					,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
والمراجع المراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع						efor
did not conduct an interview.  See attached statement	mother, arrived at t	he Recovery Room.	l obtai	ined a staten	·	
	nt for details.  rol officers arrested king investigation, king investigation, hours in one of the interights and provided me	he Recovery Room. (S was consider to the recovery Room) (S was consider to the recovery Room) (S	Suspect ed a su he Inve	) for several of spect. At NC stigations Div	nent from outstand CPD, I vision. I	n Ma ling He

Continued From: CRIMC	1 276 SATE DE RECONTRATA DESCRICATION DE CONTRATA DE C					umber 3	
Code Section And Description (c		Date		Of Day of Week	Time	<del></del>	
PC / 187*664 / ATTEMPTED ML Location Of Incident (Or Address		03/11/2004	City	THU	11:50 District	Beat	
620 E. 24TH ST Person(s) Involved, Victim			NATION	IAL CITY		246	
HARWARD, D Suspect (If Named)		NAMES OF THE PERSON OF THE PER			·····		
ORTIZ, RICHARD Property Tag No.(s)		1944	-				
Property Tag pro.(s)			1175 Table 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				
	DETECTIVE F	OLLOW-UP					
	STATEMENT FROM						
National City Police Dep	bout 0810 hours, I interviewed eartment's Investigations Division or impounded into evidence at National it is not all-inclusive. Plant	n. The interview wa CPD. The followin	as captu g is a s	ynopsized po	o and ost Mira	nda	
a boy toger, and her because of tresidence is located to the residence is occupied by house in a shed. Two or parties are renters.	prother, at the age difference between her done rear (north) of the an older female named (uniform) associates, (uniform) frequently visit	than Nation Nation aughter and that shares a control Her companion known last name) a residence almo	ommon land st on a	A single deta "backyard" a ives to the re (also daily basis.	mother, a not car ached area. The ar of he o known All of th	re for nat er n to e	
as "Fat Boy."  He noticed a mapeer through the window from the occupants of the confronted Ortiz about hidescribed as residence were their girlf him. From that point for Ortiz would walk!	known Richard Ortiz (Suspect) sexplained that some time during le (Ortiz) loitering in front of the sexplained this incident, Ortiz work house; however, his large states suspicious actions, Ortiz told house. He persuaded Ortiz to sever, there has not been any other ack to the sexplain of the would wave and greet.	g February 2004 heresidence looking a uld duck behind a ure gave up his position that he was loo and explained to lurking or elsewer issues with Ortion mon pathway fro	e was a at the ho sition. N king for o Ortiza violence z. Ortiza m the s	at E. 28 <sup>th</sup> cuse and attent to co When a female, we shat the female would be used to the results.	Street of Street	with to imself ne ainst sit	
he looked like "a typical of belonging to or association Ortiz would often wear lo	not know if Ortiz was involved in socky youngster trying to make a ng with any street gang. Ing sleeve sweatshirts with the h o carry "tools" in a backpack he o	name for himself.  denied seeing ood up and sungla	" Ortiz any tai sses (u	never mentic toos on Ortiz sually at all l	oned z, explai nours of	inina	

**ORIGINAL** 

Division INV

ID#

344

screwdriver. However,

Reporting Officer M.REMMERS said he never saw Ortiz with any type of a "weapon."

Approved By R. G. Triviz

Continued Y

Time 16:25

Date of Report 04/12/2004 said

Continued From: CRIME	San Diego Regional Officer's Report Narrative				Page 2 5	Case Nu 0402679	
Gode Section And Description (one PC / 187*664 / ATTEMPTED MURI		IFIED	Date 03/11/2004	D	Pay of Week	Time 11:50	
Location Of Incident (Or Address) 620 E. 24TH ST		11 140	03/11/2004	City		District	Beat 246
Person(s) Involved: Victim HARWARD, D Suspect (If Named) ORTIZ, RICHARD Property Tag No.(s)							
said he has set the day. He inferred that set in addition, was known to often smoke said he has known discussed an i	een a lot of foot to she was possibly uded that Ortiz me methamphetan nown pregnant. Appa during her pre- atened him with cash to purchase tion since	raffic coming and dealing narcotal dealing narcotal dealing narcotal dealing narcotal dealing narcotal dealing narcotal dealing dealin	d going from dics based upon his denied any not be care became became betamine for hir s wishes. From the	resides observation amphetain arcotic in the and use and use again. Since again. Since again.	ence during a ence during a ation of the forward vertices involvement vertices at methamp of the incide ome time late said he	parate all hou bot tra continue hetam bke an ent, he e kept te has	rs of ffic. iz rtiz or ine iy the not
said said was ow wasn't until March 10, 200	ned a black or bl		ut he has never s hat he owed the	een 🔃	drive the c	ar. It	
said he had tw been constantly "looking o would run and hide to avoi	ver his shoulders	warrants for his s" for the police.	arrest. Not wanti Often when a pa	ng to go l atrol car v	back to jail, l vould approa	ne has ach, he	} Э
On or about March 10, 200 hours. He walked to the balking to a female named relations with Cortiz replied that he was bappearance at that time, it methamphetamine.	ackyard area, to It ap interrup usy talking to appeared to	peared to ted Ortiz severa and he po that Or	that Ortiz wal times to ask for passessed no cigar tiz was possibly u	/as trying a cigaret ettes. Ba nder the i	hard to acq te. On each ased on Ortiz influence of	aw Or uire occas	tiz sion,
then proceeded house. few days earlier.	used this oppor	tunity to questic	alk when bout his ocial Security card	shaving	kit that was	stolen	ı a
Reporting Officer M.REMMERS	ID# 344	Division INV	Approved By R. G. Triviz		Date of Report 04/12/2004	Time 16:25	

Continued From: CRIME					Page 3 5	Case Nu 0402679	
Code Section And Description	(one incident only)		Date		<b>of</b> Day of Week	Time	
PC / 187*664 / ATTEMPTED Location Of Incident (Or Addre 620 E. 24TH ST		PECIFIED	03/11/2004	City	THU	11:50 District	Beat
Person(s) Involved: Victim HARWARD, D Suspect (If Named) ORTIZ, RICHARD Property Tag No.(s)				NATIONA			246
said while sidewalk area), he wou see what was going or conversation did not all hear what was being sholding needed to go alone. Cone was with Ortiz.	hanged the subject said he did go to moked the cigare he was waiting at uid often look for a said. Some time I car keys. Or Ortiz walked to the did not appear to be house and walk afronted	the front of the the front of the the front of the the police and the police and the saw Ortized.  ater (20 minute tiz told the saw of tize told the saw of tize told the the the the the the told the the the the the the the the the the	for a cigarette, house and was ime.  e property (at the mathen toward the real and stalking the said he was about a to an hour), Ortize that he had to said he did not make to get some cigare. Ortiz would return	and received and r	driveway a perty (to the rest to the front of sing" for the ctions when the returned because of the re	nd the e north) ne shed the properties and laway. I ortiz le	to to The ot perty he No offt.
ortiz and lent him the fearing that thought Ortiz would ret he was so concerned.	the car. During the mother) wou	nat time, was conducted the collection of the co	was yelling at exerned about the year.	because elling and to	he had give	shut up	)," f ha
Fearing that the police house that was located walking along D Avenu Apartment complex to I and Highland Avenue v "friends" gave	somewhere in the application of the sound in	ne area of E. 4 <sup>th</sup> cled around. inued walking a me friends of	Street next to EI T said he a and went to a Laun	oyon Park ran into the dromat loc	National C ated at E. 1	ity). W ity Park 6 <sup>th</sup> Stree	hile :
Once there, she met Or (this was told 0300 or 0400 hours (03 Ortiz that was "pi drove off.	to(b) -11-04). ( ssed off" because	Said he save he had not re	v located v Ortiz driving	at his "fr		fol	d
for a	girl's address.	said	Ortiz still looked li	ke he was	under the ir	ıfluence	of
Reporting Officer M.REMMERS	1D # 344	Division VAI	Approved By R. G. Triviz	······································	Date of Report 04/12/2004	Time 16:25	

Continued Fores: CRIME		San Diego Regional Officer's Report				Page	Case N	umber	
			Na	arrative		1	4 <sup>5</sup> of	0402679	9
Code Section And Description ( PC / 187*664 / ATTEMPTED M	one incident URDER/DEC	only) GREE UNSPE	CIFIED	——————————————————————————————————————	Date 03/11/2004		Day of Week THU	Time	
Location Of Incident (Or Addres 620 E. 24TH ST					1 907 ( 17200-7	City		District	Beat 246
Person(s) Involved: Victim HARWARD, D					······································	1,40,70,70	tt. Off f	<u> </u>	
Suspect (if Named) ORTIZ, RICHARD						<del> </del>			
Property Tag No.(s)		Market						William Landson	<del></del>
methamphetamine. Or the last time he had see Later in the afternoon (chad been at the house was considered armed was driving. Deli him. (Based on this info police fired their weapont had witnessed Ortiz tryi incident.	en Ortiz of the control of the contr	or the or the or the or him and gerous. In discussed accused with or down the or tiz during	was continued by the shooting the shooting to the shooting the shootin	onfronted by the explained a male and f and the opinion is sutstanding v	Sheat Ortize that he was varrants).	t he had	nted by the paside the car when the paside target anded target ned to	detect police a that O olice sh and the	tives and rtiz tot at at he
about the incident in the denied know during the shooting.	newspa	per the da	ay after the	shooting.			e did admit t ua) that were		
during the shooting.									
because some of his friends nor did he know	ends may	/ live in the	e general a	rea.			eet and F Avot know any		1
Approximately three day and she had asked him had spoken to the night befo "demands" and did not wattorney stating his invol	about his told re the po itness a	s involvem the moth blice-shool ny "carjac	ent regard er that ting incider king". Orti	ing the stole had ht. z' mother as	n made "den explaine ked	She the did to the did	told o surrender not make ar write a letter	that the ny to her	t she
denied that he that he encouraged, assi	sted, or	helped Or	tiz take the		car keys fro	om			
said he does						o amour	nt was ever o	discuss	ed.
would not or	could no			specific deta	ails.				
Reporting Officer M.REMMERS		ID # 344	Division INV	Approved R. G. Triv	l By viz		Date of Report 04/12/2004	Time 16:25	

Continued From: ORIMS	San Diego Officer's Narra	Page 5 5 of	Case No 0402679			
Location Of Incident (Or Addres	URDER/DEGRÉÉ UNSPECIFIED	 Date 03/11/2004	City	Day of Week THU	Time 11:50 District	Beat
620 E. 24TH ST  Person(s) Involved: Victim HARWARD, D Suspect (If Named) ORTIZ, RICHARD  Property Tag No.(s)			NATION	IAL CITY		246

End of Statement.

Continued From . CRIME	San Diego Regional Officer's Report Narrative			Page 1 2	Case No 0402679	
Code Section And Description (one incident only) PC / 187*664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED			2004	Day of Week THU		
Location Of Incident (Or Address 620 E. 24TH ST	55)		City NATI	ONAL CITY	District	Beat 246
Person(s) Involved: Victim MILLER / HARWARD,						!
Suspect (If Named) ORTIZ, RICHARD						
Property Tag No.(s)						

# **DETECTIVE FOLLOW-UP**

WITNESS STATEMENT FROM
On March 12, 2004, at about 1530 hours, I interviewed and at UCSD Hospital in the lobby area. The following is a synopsized statement from and it is not all-inclusive.
(WITNESS) is the mother of (Suspect). (Suspect). (Suspect) has been dating his girlfriend, Maria Urzua, for approximately 4 – 5 years. They live together with Urzua's ex-husband, somewhere near Highland Avenue, National City, near the northwestern part of town.
physically saw as a set of transportation is by bicycle. Ms. least last physically saw as a set of transportation is by bicycle. Ms. least last physically saw as a set of transportation is by bicycle. Ms. least last physically saw as a set of transportation is by bicycle. Ms. least last physically saw as a set of transportation is by bicycle. Ms. least last last last last last last last l
Ms. Said she spoke with last night (03-11-04) at the hospital. He explained to her that he had met "a guy" (Richard Ortiz) at a 7-Eleven store in National City the night before. Ortiz had promised that he could get him a clean-up job at a construction site with Ortiz' brother. further stated that he and were with Ortiz when he started to speed away from the police. It told his mother that he and Maria told Ortiz to stop, but he continued to speed away. Said he did not understand why Ortiz was "running" from the police. When the police officers fired their guns, they were at a close distance to Ms. Said her son did not provide specific details about the shooting.
Ms. said she spoke with some time on March 11, 2004. He told Ms. that was at his house at about 0330 hours on March 11 <sup>th</sup> looking for Maria because he could not find her. at tow truck-driver, left the house for a service call. did not provide any further details to Ms.
Ms. She described the house as being in color and west of Highland Avenue, somewhere in between 2 <sup>nd</sup> and 3 <sup>rd</sup> Street, National City.
Ms. said she has never heard of the name of "Richard Ortiz" or of the moniker of "Joker."
Ms. could not provide any further details.
End of Statement

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
M.REMMERS	344	INV	R. G. Triviz	04/12/2004	16:19

Officer's	San Diego Regional Officer's Report Narrative			
Code Section And Description (one incident only) PC / 187'664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED Location Of Incident (Or Address) 620 E. 24th St. (South Parking Lot) Person(s) Involved: Victim	Date   03/11/2004   Cit   NA	Day of Week THU  y TIONAL CITY	Time 11:50 District	Beat 240
Suspect (If Named) Orliz, Richard Property Tag No.(s)				

# **Detective Supplemental**

On March 11, 2004 at about 1150 hrs, National City Police Officers Miller and Harward were involved in an Officer Involved Shooting in the south parking lot of 620 E. 24th St. in National City. During the investigation, I interviewed Officer Harward within the Investigations Division of the National City Police Department. Officer Harward's statement was captured on audio/video tape and the following is a synopsis of his statement:

## STATEMENT

Harward, D (V) has been employed as a Police Officer with the National City Police Department for since September of 1998. Before that, Officer Harward was a Deputy with the San Diego County Marshal's Office from July of 1994 until 1998.

Officer Harward is currently a School Resource Officer with the Community Services Division of the National City Police Department and assigned to Sweetwater High School, 2900 Highland Ave. in National City.

On March 11, 2004, Officer Harward was working in the standard National City Police Department uniform, dark navy blue in color, with insignia patches on both shoulders, badge, and standard issue gun belt, with his firearm. Officer Harward carries a and caliber semi-automatic handgun. The firearm has a round magazine, with one in the chamber, which is consistent with National City Police Department Operating Procedures.

Officer Harward was driving a marked National City Police Department vehicle, equipped with lights and siren, and marked as unit # 437.

On March 11, 2004, Officer Harward was leaving Sweetwater High School, when he heard NCPD Dispatch giving information to patrol units regarding a Carjacking vehicle taken the night before, and that the suspect(s) was armed with a knife at the time of the robbery. Officer Harward heard the description of the stolen vehicle was a dark blue and memorized the license plate number.

Reporting Officer GRANDE	ID# 249	Division INV	Approved By R. A. Rounda	Date of Report 04/19/2004	Time 08:39
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Coulinued From: OTHER Harward Stateme	San Diego Regional Officer's Report Narrative			Page 2 of 5	Case Ni 0402679	
Code Section And Description (one incided PC / 187*664 / ATTEMPTED MURDER/INDIGNATION OF Incident (Or Address) 620 E. 24th St. (South Parking Lot)	ent only) DEGREE UNSPECIFIED	Date 03/11/2004	<b>I</b>	Day of Week THU L CITY	Time 11:50 District	Beat 240
Person(s) Involved: Victim Suspect (If Named) Ortlz, Richard Property Tag No.(s)						240

Officer Harward heard NCPD Dispatch speaking with Parking Enforcement Officer Carranza, and noted the last location where she had seen the Officer Harward heard National City Police Officer Miller respond to the 1900 block of Wilson Avenue to look for the stolen and did not have a cover unit. Due to the suspect(s) involved were possibly armed, Officer Harward started toward Officer Miller's location to assist him in looking for the

Officer Harward arrived in the area, and heard Officer Miller advise NCPD Dispatch that the stolen was not in the area. Officer Harward then left the area and started back to the area of Sweetwater High School.

While enroute back to the high school, Officer Harward heard a patrol officer advise that a possible location or residence for the Carjacking suspect(s) was the apartment complex located in the 600 block of E. 24<sup>th</sup> St.. Officer Harward drove eastbound on E. 24<sup>th</sup> St. toward the apartment complex and entered the east parking lot of the apartment complex in the 600 block of E. 24<sup>th</sup> St.. He drove westbound through the south parking lot of 620 E. 24<sup>th</sup> St. and saw a dark blue matching the description parked in a marked stall at the north end of the south parking lot of 620 E. 24<sup>th</sup> St. facing northbound and believed it was unoccupied.

Officer Harward confirmed the license plate of the with the information he had received from NCPD Dispatch, and continued to drive westbound through the parking lot to "F" Ave. Officer Harward then drove northbound on "F" Ave. and parked at the southwest corner of E. 24<sup>th</sup> St. and "F" Ave. and took up an observation point for the west and east entrance/exits of the parking lot in case the blue attempted to leave.

Officer Harward saw Officer Miller drive eastbound on E. 24<sup>th</sup> St. past him, and raised Officer Miller on the radio. Officer Harward told Officer Miller that he had the Carjacking vehicle, the blue in the south parking lot of the apartment complex. Officer Harward asked Officer Miller to assist him in checking on the vehicle.

Officer Harward then advised NCPD Dispatch that he had located the blue and that he and Officer Miller were going to check the car. Officer Harward and Officer Miller began to walk in a southeasterly direction across "F" Ave. toward the apartment complex when a White male adult approached them on a bicycle that identified himself as the victim of the Carjacking. The White male,

Reporting Officer GRANDE	ID# 249	Division INV	Approved By R. A. Rounds	Date of Report	Time
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Continued From: OTHER	San Diego I				
Harward Stateme	Narrative		Page 3 of 5	Case Nu 0402879	
Cade Section And Description (o PC / 187*664 / ATTEMPTED MU	ne incident only) RDER/DEGREE UNSPECIFIED	Date 03/11/2004	Day of Week THU	Time 11:50	
Location Of Incident (Or Address 620 E. 24th St. (South Parking Lo		City NA	/ TIONAL CITY	District	Beat 240
Person(s) Involved: Victim Suspect (If Named)					
Ortiz, Richard Property Tag No.(s)		and the body on the state of th	har-mainer meannamhailtean a an an an an an an an an an an an an	<del>//</del>	
		PPANISACION distributation and a second participation of the property of the participation of		·	
stolen, and found his c	told the officers that he lar parked in the south parking laws no one inside the car.	nad just spoken to the ot of the apartment c	e police to repo complex. The V	ort his vo Vhite m	ehicle ale
heard the White male y anywhere." Officer Ha	ycle to the west entrance/exit of relling at someone in the south rward believed the White male and that the individual	parking lot, "Don't g was speaking to the	o anywhere, ar individual(s) w	nd don'i	t go
walked out into south p parking stall on the nor runs east/west through	sed his pace, clearing the south arking lot. Officer Harward say the side of the parking lot. Office the middle of the south parking that Officer Miller was standing	v the dark blue er Harward stopped lot. Officer Harward	was backi in the cement s d was focusing	ing out swell, w on the	of the hich
individuals inside the v	acking out of the parking stall, ehicle. Officer Harward believe cation, and the parking stall was	ed the was	approximately	one hu	ndred
the vehicle. Officer Hardriver divert his attention driver was a Hispanic of	window of the was do ward and the driver immediate on from the White male on the White male adult, and was we reet gang fashion. The driver w	ly made eye contact. picycle to him. Offic paring a dark colored	Officer Harwa er Harward say beanie, pulled	ord saw w that th l down t	the ne to
	see that the right front passenge he gender of physical descripti			d Offic	cer
accelerated forward at a	the driver of the manner manner the high rate of speed causing the ed at such a high rate of speed,	tires to so	queal against th	ne pavei	ment.

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Approved By R. A. Rounds

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lost control of the

Reporting Officer GRANDE

Time 08:39

Date of Report 04/19/2004

## Harward Stateme Officer's Report Page Case Number 4 of 0402679 Narrative Code Section And Description (one incident only) Date Day of Week PC / 187\*664 / ATTEMPTED MURDER/DEGRÉÉ UNSPECIFIED 03/11/2004 11:50 Location Of Incident (Or Address) City District Beat 620 E. 24th St. (South Parking Lot) NATIONAL CITY 240 Person(a) Involved: Victim Suspect (If Named) Ortiz, Richard Property Tag No.(s) Based on the information that Officer Harward had received, he believed that the driver of the and the other occupants inside the were possibly armed. Fearing for his safety and the safety of others in the area, Officer Harward drew his weapon. Due to the elementary school being adjacent to the south parking lot and immediately south of his position, he held his weapon to his side focusing on the movement of the and the three (3) occupants inside. Officer Harward extended his left arm outward with his left hand positioned in a "stop" position, and in a loud voice, yelled, "Stop, your not going anywhere." Officer Harward gave the command twice, and saw the continue to accelerate westbound toward him. Officer Harward moved to the south toward the middle of the parking as the traveled westbound toward his direction. Officer Harward saw the driver of the had both hands on the steering wheel and was crouched forward in the left front driver seat Officer Harward described the drivers' as using the steering wheel as a "sight" on a target, and was preparing for impact, and was specifically intending on striking the officers with the Realizing that the driver was not going to stop, Officer Harward started to move to the north out of the path of the Harward saw the driver redirect the path directly at him, and continued to accelerate toward him. Officer Harward had no doubt in his mind that the driver was going to strike him and Officer Miller if he did not react. Officer Harward feared for his life and the life of Officer Miller and pointed his weapon at the Officer Harward saw that the driver was not going to stop or redirect the path of the from him or Officer Miller and fearing for his life, Officer Harward fired one round at the driver of the from approximately ten (10) feet away. Officer Harward attempted to spin to his right to and fired his weapon again at the avoid being struck by the as it passed him. came so close to striking Officer Harward that he could feel the breeze of the as it accelerated past him. Officer Harward heard several gunshots, which he believed were fired by Officer Miller.

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	Reporting Officer GRANDE	ID# 249	Division INV	Approved By R. A. Rounds	Date of Report 04/19/2004	Time 08:39
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Officer Harward saw the continue westbound past him out of the west exit/entrance of the south parking lot and drive southbound on "F" Avenue. As the exited the south parking lot, Officer Harward saw that the was traveling at such an accelerated speed, that it nearly missed a parked vehicle at the west curb line of 2400 "F" Ave.

Officer Harward advised NCPD Dispatch that "Shots had been fired" and ran directly to his patrol vehicle which was parked at the southwest corner of E. 24<sup>th</sup> St. and "F" Avenue. Officer Harward lost sight of the sait continued southbound on "F" Avenue from E. 26<sup>th</sup> St.

Officer Harward got into his patrol vehicle and drove southbound on "F" Avenue. As he approached the intersection of E. 26<sup>th</sup> St. and "F" Avenue, Officer Harward could see smoke coming from the corner of E. 28<sup>th</sup> St. and "F" Avenue and saw that the was involved in a traffic collision, but was unsure if a vehicle or student was involved in the collision. Officer Harward arrived at the intersection of E. 28<sup>th</sup> St., "F" Avenue and saw the had collided with another vehicle in the intersection, and there were students from Sweetwater High School standing around the vehicles. Officer Harward checked the interior of the and saw that it was unoccupied.

Officer Harward saw a teacher from Sweetwater High School standing in the crowd, and he asked the teacher where the occupants of had gone. The teacher pointed to a male and female sitting on the south curb /line of 600 E. 28<sup>th</sup> St. next to the

Officer Harward immediately recognized the male as the right front passenger of the Officer Harward asked the female, "Were you in the car?" and the female responded, "Yes." Officer Harward heard several of the students in the crowd telling him, "The driver went that way, and the driver went that way".

Officer Harward saw that the students were pointing eastbound on E. 28<sup>th</sup> St. and advised Sergeant Tellez, who arrived at the scene. Officer Harward gave Sergeant Tellez a Public Safety Statement, and the description of the driver. Officer Harward was assigned to stay at his location, until detectives contacted him.

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GRANDE	249	INV	R. A. Rounds	04/19/2004	08:39
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Continued From: CRIME	San Diego Regional Officer's Report Narrative			Page 1 of 1	Case Nu 0402679	
***************************************			City NATION	Day of Week THU - THU AL CITY	Time 11:50 District	Beat 240
Person(s) Involved: Victim Suspect (if Named) Ortiz, Richard Property Tag No.(s)						

## DETECTIVE SUPPLEMENTAL REPORT

On Thursday, 03/11/2004, at about 1230 hours, I responded to the area of 28<sup>th</sup> Street and "F" Avenue to assist National City Police Detectives at the scene of an officer involved shooting.

On arrival, I saw a blue had collided with a beige color leader. I walked to the nearest supervisor, Sergeant Jose Tellez, who asked me to seal off public access to the intersection (scene of the traffic collision). Sergeant Tellez instructed me to string yellow crime-scene tape across the 2700 block of "F" Avenue approximately 100 feet north of the intersection. Sergeant Tellez then instructed me to stand by with Officers Dan Harward and Christopher Miller, who were involved in the shooting. I stood by with the officer Harward and officer Miller in the driveway of the north rear entrance to Sweetwater High School. Minutes later, Sergeant Triviz and I escorted Officer Harward and Officer Miller to the 2400 block of "F" Avenue, (south parking lot of 620 E. 24<sup>th</sup> Street) where Detective D, Grande was waiting to speak with the officers.

At 1252 hours, Sergeant Triviz and Detective Grande instructed me to transport Officer Harward and Officer Miller to the National City Police Department Investigations Division. Sergeant Triviz further instructed me to stay with them until relieved by Detective Grande. I arrived at NCPD at approximately 1258 hours, where I stood by with Officer Harward and Officer Miller until relieved by Detectives Grande and Remmers. This report was completed at 1933 hours on 03/11/2004.

End of report.

Reporting Officer IVAN PICAZO	ID #	Division	Approved By	Date of Report	Time
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Continued From: GRIME San Diego Re	egional			
Officer's R Narrati	Page 1 of 5	Case Numb 0402679	er	
Code Section And Description (one incident only) PC / 187A*664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED	Date 03/11/2004	Day of Week THU	Time 11:50	-;  
Location Of Incident (Or Address) 620 E 24TH ST.	Ci N	TY ATIONAL CITY		eat 40
Person(s) Involved: Victim HARWARD, DANIEL	···	4		
Suspect (If Named) ORTIZ, RICHARD Property Tag No.(e)				
Topoly (ag today		······································		
Detective follo	w-up			
On 03-11-04, I was dispatched to assist in the follow-up it police officers. I met with Detective Grande in the 2400 block of area looking for evidence. We checked the south parking lot of 62400 block of F Ave. through the 2700 block of F Ave. Refer to be evidence. I was later assigned to work with Detective Rounds to tape recorded and videotaped. I later impounded these items at N	F Ave. and was brief 20 E. 24 <sup>th</sup> St., Olivew Detective Gelskey's r conduct interviews of CPD.	ed there. We then vood Elementary So eport reference the witnesses. All inte	valked the shool and the located erviews wer	he
Statement of (Victim) - The following is a synogexact narrative, refer to the audio/video tapes.	psis of our interview	and not an-inclusiv	e. For the	
currently unemployed but does landscaping/construction work. H friend, had a lot of weeds in her yard and she needed then he had done some work on a shed in her backyard. On 03-10-04, her to house at the land in National City.	m pulled. knew picked up a fri	I named, the the from a prior end named,	at another	here
went to the rear yard of the house and talked with During their conversation, told that she was mi "Richard" stole it. When came out, he saw a male he recognized address but is there quite often because he is dating who him if he had found a razor. The also saw Richard was outside for about four to six months. He knows he has a gang name and be part." The told that he had not seen his razor. He also DVD player so he may have stolen the razor as well.	ssing a DVD player a prized as 's lives there. The rear part of the hopelieves he has ties to	nd suspected a made does not came up to use. The has known a gang because he	le named ot live at th and asked wn Richard "dresses th	nis I d
then walked up to Richard and told him that came up to and asked why he was calling him a thief. began to demand items from such as his wallet. The had separated from Richard, circled and stood be and was watching while trying to keep an eye on Richard.	was standing was telling to ehind him.	rith Richard as well give Richard what	l, Richard t he wanted.	hen
At one point, Richard said, "Hey I got this knife right here your money. If you don't give me what I want, then I'll take your thin metal in his inner jacket pocket. The thought he was about not a knife but it did have a sharpened tip. Richard reached into his pocket. The then turned to look at and Richard reached the pocket.	stuff and I'll gut you two feet from Richar is jacket pocket and g	"Richard had a land." Richard had a land. Said it was grabbed the shank l	rge piece of s a shank a out left it in	f nd his

Division INV Approved By R. G. Triviz

ID# 371

Reporting Officer DNagle Time 14:40

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	Officer's Repor Narrative	t	Page 2 of 5	Case Nu 0402679	
Cade Section And Description ( PC / 187A*664 / ATTEMPTED		Date 03/11/2004	Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 E 24TH ST.	s)	City NATIO	NAL CITY	District	Beat 240
Person(s) Involved: Victim HARWARD, DANIEL					
Suspect (If Named) ORTIZ, RICHARD				J	
Property Tag No.(s)					
tight and he could not get of his jacket pocket as he cigarettes and kept them.  Said he was caused the average person his belongings because of standing behind him.  After Richard took not to worry because houses up. After about 10 told about aid this because calling the police.  Richard still had not return at 24th St. and Highland A told Richard hand three dollars a house. Richard started to poff. She said she was goin in the 600 block of 24th St because he thought there re	not scared exactly but was cautious. He said to be cautious and possibly scared. Richard's prior comments of stabbing him, so a the keys from the walked to the gate at the keys from the walked to the gate at the keys from the walked to the gate at the keys from the walked to the gate at the keys from the walked to the gate at the keys from the walked to the gate at the keys from the walked to the gate at the keys from the walked to the gate at the keys from the walked to the gate at the keys from the walked to the gate at the keys from the walked to the gate at the keys went to the street looked the area and the gate at the walked to get out of his car and to give it back. Richard to get out of his car and to give it back. Richard to get out of his car and to give it back. Richard to get out of his car and was getting ready to do get o stay with the car until the keys were returned. He was going to look for some friends to as may be problems with Richard when he dropped to the car until the keys were returned to get out of his car until the keys were returned to get out the window up and was getting ready to do get out of his car until the keys were returned to get out of his car until the keys were returned to get out of his car until the keys were returned to get out of his car until the keys were returned to get out of his car until the keys were returned to get out of his car until the keys were returned to get out of his car until the keys were returned to get out of his car until the keys were returned to get out of his car.	sand Riso said he did not traceing the shank and aid if he did, he may said Richard was going to rived and was trying vas coming over. Are police. He and e Arco gas station.  The police of the driver ichard said he would rive off.  The police of the groperty are police. He and the driver ichard said he would rive off.  The police of the groperty are off.  The police of the groperty are the gas station.	ichard's actions by to stop Richard the fact y have given it by himself. was just going scovered it was take the car. g to prolong fter about two walked s window dow d return the car ot in the car as ed to the apartic his car back. H	s would hard from war to Richard from three hard a payp	nave taking s and due told of s nours, s hone drove nplex s this
was not all there." He hear complex, found a fr	ing with Richard, he did not seem rational.  In that Richard likes to start problems, but hat it is it is it is it is it is it is it is it.  The told stayed the night there. Richard house and stayed the night there.	s not seen Richard auto theft.	involved in an aned and a l	y fights.	At the
24 <sup>th</sup> St. and was going to to lot. He saw an unknown m car was. The male said he	rs, he called 911 and reported the auto theft. ell he needed the bike for a little while hale in the right front passenger seat of his cawas inside with somebody. The told the past of his cawas inside with somebody.	longer. saw l	his car in the so nale where the	outh park driver of	cing f the

Reporting Officer	ID#	Division	Approved By	Date of Report	Time
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Cade Section And Description	(one incident only)	Narra	Date	Day of Week	Time
PC / 187A*664 / ATTEMPTED Location Of Incident (Or Addre		SPECIFIED	03/11/2004	THU   City	11:50 District Bea
620 E 24TH ST.  Person(s) Involved: Victim HARWARD, DANIEL. Suspect (If Named) ORTIZ, RICHARD Property Tag No.(s)				NATIONAL CITY	240
	y be problems in ge turn the car over we ve. and saw two off officers got to the s ae just made the rep	tting his car back livillingly because his cers at the south idewalk where	west corner of 24 <sup>th</sup> St was, he yelled to	bizarre behavior. He the previous night.  and F Ave. He motithem that his stolen of	also believed then rod oned to them ear was in the
As rode up leave the keys and leave Richard did not want to to Richard because he belie want to give the car back moved himself behind a remained in that spot, Richard sp	the car alone. Richa alk and was not goi ved something was . Richard started the parked car because	ard said, "No. I wa ing to return the ca going to happen. e car, backed out o he did not want to	tr. stopped his He thought this because of the spot and accele get hit by Richard.	at something."  bike a couple of cars  use it was obvious Ri-  rated directly at	said he knew away from chard did not
	did this because Ratly for them. Richa	ichard was driving	cers pulled their guns gright at them.	saw that both officer	s fired at
drew a sket the other as bigger. He lo "When he tried to hit this As soon as he starts to ge pointed to the diagram and Richard was still driving accelerated quickly toward out of the way by jumping was that the officers got is stop, so they were trying to	cated the smaller of one, (pointing to C t by him to go for the d showed me that C towards Officer Hards the officers.  g back, but Richard in the way of the car	fficer, Officer Mill officer Miller) he go the other guy, (Officer Harward w rward even though estimated his so was still driving of to stop it (to reco	got jumpy or shocked oer Harward) that's was off to the north sid in he was off to the no peed at about 30 mile directly at them at hig ver the stolen car) bu	officer, Harward. that he was trying to when I heard the shot le of the driveway. Ith part of the drivew as per hour. The office the speed.	said, run me over. s." said that yay. Richard ers tried to ge nis impression
said Richar at a high rate of speed and as Richard drove for Offi- him. This caused Richard try to hit the officers.	I steered the car direct Harward.  to steer away from	ectly towards Offi said Officer Harw Officer Harward.	ard shot at the car as	Miller then fired his Richard was driving to drive into the par	gun at the ca directly at king spots to
Reporting Officer DNagie	ID # 371	Division INV	Approved By R. G. Triviz	Date of Repo 05/10/2004	ort Time 14:40

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Code Section And Description ( PC / 187A*664 / ATTEMPTED	ane incident only) MURDER/DEGREE UNSPECIFIED	Date 03/11/2004	Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 520 E 24TH ST.	s)	<u></u>	City NATIONAL CITY	District	Bea 240
Person(s) Involved: Victim HARWARD, DANIEL			·		leconomano.
Suspect (If Named) ORTIZ, RICHARD		W			
Property Tag No.(s)					

accelerated out of the parking lot. On 03-18-04, I met with a NCPD and clarified a few elements of his statement. I recorded this interview and later impounded the tapes at NCPD. I then drove him to the 2000 block of F Ave. He directed me to stayed there with her boyfriend. I then drove to the scene of the shooting and had him walk me through the scene. Showed me where Richard had parked the car, where he was standing and where the officers were standing. said his car was parked in a parking stall, facing northbound. It was about three stalls west of the walkway that separated buildings 620 and 638. Said there was another car that was parked two cars west of his and this is where he stopped his bicycle. He said the first officer was two stalls west of his location. The second officer was one stall west of that. That left two remaining stalls to the west of the officers. He estimated the officers were 12 feet apart from each other. On 03-17-04, I went to residence to set an appointment with him for a follow-up interview. At that time, he told me two females had been calling his cell phone and they said they were Richard's sister and mother. When they called they talked with his wife, The conversation lasted about five minutes. The females said phone number from somebody on the street. The females said they heard that to Richard to go get drugs. said that was not true. She explained that Richard had pulled a knife on females said they heard that was not true. eventually hung up on the females but they called back. answered and talked with them for about one minute. On both occasions, the females told Ortiz. They said if he did not testify, they would pay for the damage to his car. The females also said they knew phone number and where he lived. and and said the phone calls were upsetting but they were not scared. On 03-18-04, I went to the Arco station at 24<sup>th</sup> St. and Highland Ave. and met with the manager, and obtained the videotape from the night of March 10th. I later viewed the video and impounded it at NCPD. The video showed car being driven westbound on 24<sup>th</sup> St., past Highland Ave. At 1:34:07, the driver turned into the lot from 24<sup>th</sup> St. and drove northbound along the front of the store and out of the camera's view. It did not appear the car was driven out of the lot at that point. About one minute later, and a female come into view. and the female walked from the north part of the lot. This is the area where his car had been driven to and parked. At walked into the store briefly and came right back out. At 1:35:31, came back in and purchased

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around the lot and back to the front of the store. The driver again drove northbound in front of the store, stopped and the female got in the left/rear seat. The driver then drove adjacent to the front doors and stopped. was standing at the cash register and looked out to where his car was parked and completed the transaction. He then walked out of the

Camel Regulars. At that point, the female walked to the front of the store and

car was driven, in a circle,

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Code Section And Description PC / 187A*664 / ATTEMPTED	(ane incident only) MURDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 E 24TH ST.	68)		City NATIONA	IL CITY	District	Beat 240
Person(s) Involved: Victim HARWARD, DANIEL				3		,
Suspect (If Named) ORTIZ, RICHARD						
Property Tag No.(s)						

store and up to the driver's window. He talked with the driver for a few seconds and the car was driven out of the lot from the east driveway.

At the completion of this report, I have not been able to locate and I have left messages at the residence but have not heard back from

## Continued From San Diego Regional OTHER Detective Supp Officer's Report Page Case Number 0402679 1 of Narrative Code Section And Description (one incident only) Date Day of Week Time PC / 187'664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED 03/11/2004 THÚ 11:50 City NATIONAL CITY Location Of incident (Or Address) District Beat 620 E. 24st St 240 Person(s) Involved: Victim Suspect (If Named) Property Tag No.(s)

## **Detective Supplemental**

On March 11, 2004, at about 1150 hrs, I was called out to assist in the investigation of an Officer Involved Shooting that occurred in the area of 2400 "F" Ave. in National City. I responded to the scene and saw that the south parking lot of 600 E. 24<sup>th</sup> St. was cordoned off and that NCPD Officer A. Hernandez was guarding the perimeter.

Officer Hernandez told me that NCPD Officers Harward and Miller had fired their weapons at a dark
colored as a state at
suspect(s) fled the south parking lot in the analysis and continued southbound on "F" Ave. As
the suspect(s) approached the intersection of E. 28th St. and "F" Ave., they were involved in a traffic
collision with another vehicle. The right front passenger of the
DOB: suffered gunshot wounds to his left leg and back area and had
been transported to UCSD Hospital by paramedics. The right rear passenger, identified as Maria
Urzua DOB: 12/24/60, was also transported to UCSD Hospital for medical evaluation due to the
traffic collision. NCPD Officer D. Kerr was assigned to stay with Urzua and at the hospital
until further investigation could be conducted.

I examined the area of the south parking lot and saw several expended casings lying on the pavement in the northwest portion of the parking lot. Based on the high level of pedestrian and vehicle traffic in the area, I assisted Officer Hernandez in securing the crime scene to prevent any contamination or destruction of physical evidence until the scene could be processed.

NCPD Dispatch advised the patrol units who were still searching for the Hispanic male driver of the dark blue who was described as a Hispanic male wearing a baby blue t-shirt and a dark colored beanie. The Hispanic male suspect was seen by witnesses running eastbound on E. 28<sup>th</sup> St. from the first after the collision.

Detective J. Meeks and NCPD Evidence Technician A. Flores met me at the shooting scene located in the south parking lot of 620 E. 24<sup>th</sup> St. E.T. Flores and I entered the south parking lot and attempted to locate and mark the expended casings located in the parking lot. I found approximately (9) nine expended casings consisting of and caliber. The nine (9) expended casings were found and marked predominantly in the northwest quadrant of the south parking lot.

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Code Section And Description ( PC / 187*664 / ATTEMPTED M	one incident only) URDER/DEGREE UNSPECIFIED	Date 03/11/2004		Day of Week THU	Time 11:50	
Location Of Incident (Or Addres 620 E 24st St			City NATION	AL CITY	District	Beat 240
Person(s) Involved: Victim						
Suspect (If Named)						
Property Tag No.(s)						

At about 1236 hrs, I was told that NCPD officers located and arrested a Hispanic male, identified as **Richard Ortiz** DOB: 10/21/81 in the west portion of the front yard at 631 E. 28<sup>th</sup> St. Ortiz was positively identified by Officer Harward and other witnesses at the scene as the driver of the dark blue

NCPD Officer M. Gonzales transported Richard Ortiz to the National City Police Department where he was detained and processed until detectives could speak with him.

At about 1330 hrs, Officers Harward and Miller were brought back to the area of 620 E. 24<sup>th</sup> St. to give detectives information on the course and direction of fire. Detectives were then briefed by NCPD Sergeant M. Harlan regarding the circumstances of the incident.

Ca. Lic. # was the victim of a carjacking that occurred in the 900 block of

Sergeant Harlan told us that on March 10, 2004, at about 2330 hrs, the owner of the dark blue

E. 28 <sup>th</sup> St. in National City. The owner of the vehicle,	, reported the carjacking to police on
March 11, 2004, at about 0930 hrs. NCPD Officer S. Shanahan to	ook the report. told Officer
Shanahan that he knew the suspect that had robbed him of his vel	nicle and knew his name to be
"Richard." told Officer Shanahan that he believed "Richard	A
apartment complex in the 600 block of E. 24 <sup>th</sup> St. in National City	<b>/</b> .
On March 11, 2004, at about 1100 hrs, NCPD Police Service Offi	icer S. Carranza contacted three (3)
people in the dark blue was parked in the	west alley of 1900 Wilson Ave.
Officer Carranza ran the license plate to the but to	he vehicle had not been entered into
the Stolen Vehicle System (SVS) as a reported stolen.	

At about 1145 hrs, Officer Harward advised NCPD Dispatch that he had located the parked in the south parking lot of 620 E 24<sup>th</sup> St. and that he was going to make contact with the assistance of NCPD Officer Miller.

After the briefing, I was assigned as the Case Agent in the investigation and assignments were given. NCPD Detective Picazo transported Officers Harward and Miller out of the area and to the National City Police Department in an unmarked Detective vehicle.

Reporting Officer GRANDE	ID # 249	Division INV	Approved By R. G. Trivlz	Date of Report 06/11/2004	Time 13:43	
<u> </u>		***************************************				

### Continued From San Diego Regional OTHER Officer's Report Detective Supp Page Case Number 0402679 3 of Narrative Time Date Day of Week Code Section And Description (one incident only) PC / 187'664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED 03/11/2004 11:50 City District Beat Location Of Incident (Or Address) NATIONAL CITY 240 620 E. 24st St Person(s) Involved: Victim Suspect (If Named) Property Tag No.(s)

Detective K. Gelskey and E. T. Flores were assigned to process the shooting scene at 620 E. 24<sup>th</sup> St. Detective J. Meeks and Crime Scene Specialists A. Chavez were assigned to process the scene at the intersection of E. 28<sup>th</sup> St. and "F" Ave. NCPD Traffic Officer D. Geidel was assigned to conduct the traffic collision investigation.

At about 1330 hrs, several detectives assisted me in conducting a line grid search of the south parking lot for additional physical evidence, and property damage from the fired projectiles. Detectives did not find any additional expended casings in the area or damage to the south wall of the apartment complex or vehicles parked in the southeast portion of the parking lot. Detectives additionally checked the west wall of the business, **Skate San Diego**, located in the 700 block of E. 24<sup>th</sup> St., which is adjacent to the south parking lot.

At about 1345 hrs, several detectives assisted me in conducting a line grid search of the north parking lot of Olivewood Elementary School and the north classroom buildings adjacent to the parking lot for physical evidence and property damage. Several possible locations believed to be impact marks from the fired projectiles were located by detectives and were further examined and processed by Detective Gelskey.

At about 1405 hrs, several detectives assisted me in conducting a line grid search along the east and west curb lines of "F" Ave. from the 2500 block of "F" Ave. to the traffic collision site at the intersection of E. 28<sup>th</sup> St. and "F" Ave. No physical evidence was found during the search.

I met with Detective Meeks and CSS Chavez, who was processing the dark blue the immediate area where Ortiz was discovered hiding by officers. I examined the exterior of the and saw that there was major front-end damage consistent with a traffic collision. I saw two (2) projectile impact marks located at the lower right portion of the front hood area of the I saw another projectile impact mark in the lower portion of the middle of the front windshield. The distance and direction of the impact trajectory appeared to travel from right to left and consistent with a weapon fired from a close distance and from the front area of the vehicle.

I also saw there were two (2) projectile impact marks on the right side of the dark blue which were located in the area of the right rear passenger window. It appeared one of the projectiles

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	249	INV	R. G. Triviz	06/11/2004	13:43
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### Continued From: San Diego Regional OTHER Detective Supp Officer's Report Page Case Number 10 0402679 4 of Narrative Code Section And Description (one incident only) Date Day of Week Time PC / 187'664 / ATTEMPTED MURDER/DEGRÉE UNSPECIFIED 03/11/2004 THÍU 11:50 Location Of Incident (Or Address) City NATIONAL CITY District Beat 620 E. 24st St 240 Person(s) Involved: Victim Suspect (If Named) Property Tag No.(s)

had continued through the right front passenger window and entered the right front passenger seat headrest. The other projectile impact mark was at the outer edge of the right rear passenger door. I found one projectile impact mark at the upper frame of the left front passenger door adjacent to the roof area of the vehicle.

After examining the vehicle, several detectives assisted me in conducting a neighborhood canvas in an attempt to locate possible witnesses to the incident. During the canvas, I spoke to the resident at Ave. in National City. The resident identified as following:

## Statement

(W) heard several shots while sitting inside his residence. looked outside, saw a dark blue vehicle leaving the south parking lot of 620 E. 24th St. at a high rate of speed, and saw two police officers looking toward the leavest as it left the parking lot.

After conducting the neighborhood canvas, Detective Remmers and I went to NCPD to interview Officer Harward and Officer Miller. At NCPD, I met Officer Harward and Officer Miller's Legal Defense Fund Attorney, Julie Buechler. Attorney Buechler told me that she was going to allow the officers to give a voluntary statement to detectives.

On March 11, 2004, at about 1700 hrs, Detective Remmers and I interviewed Officer Miller at NCPD in the Investigations Division in Interview Room #B. Attorney Buechler was present. The interview was captured on audio and videotape. The tapes were later impounded into NCPD evidence. (See Detective Remmers supplemental for Officer Miller's statement).

After the interview, Officer Miller was processed by E.T. Flores and I. Officer Miller's uniform and equipment were taken to be processed by NCPD Evidence Technicians for gunshot residue (GSR) samples for processing.

On March 11, 2004, at about 1845 hrs, Detective Remmers and I interviewed Officer Harward at NCPD in the Investigations Division in Interview Room #B. Attorney Buechler was present during the

Reporting Officer	ID #	Division	Approved By	Date of Report	Time
GRANDE	249	INV	R. G. Triviz	06/11/2004	13:43
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#### Continued From: San Diego Regional OTHER Officer's Report Detective Supp Page Case Number 0402679 10 5 of Narrative Day of Week Code Section And Description (one incident only) Date Time PC / 187.664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED 03/11/2004 THÚ. 11:50 City District Beat Location Of Incident (Or Address) NATIONAL CITY 240 620 E. 24st St Person(s) involved: Victim Suspect (If Named) Properly Tag No.(s)

interview, which was caught on audio and video tape. The audio and videotapes were impounded into evidence. (See attached report for Officer Harward's statement).

Following the interview, E.T. Flores and I processed Officer Harward and his uniform and equipment were taken for processing by NCPD Evidence Technician(s).

On March 11, 2004, at about 2035 hrs, Richard Ortiz was interviewed by Detective Remmers and I at NCPD Investigations Division, Interview room #A. Ortiz's interview was captured on audio and videotape. Before asking him any questions, I advised Ortiz of his Miranda Rights, per NCPD form PD-210. Ortiz invoked his Miranda Rights and replied, "I'd rather call a lawyer. I'm sorry, I was always taught to call a lawyer." Due to Ortiz invoking his rights, the interview was terminated at about 2038 hrs.

While obtaining personal information from Ortiz, I saw that he had an "Iris Ave." tattoo on his right wrist. I asked Ortiz if he was a member of any street gang. Ortiz told me that he associated with the "Iris Ave." street gang in the past, but is not currently active within the gang. He further explained that "Iris Ave." was formally called "FCW" or the "Four Corners of the World" street gang and that he used the moniker of "Joker." I know from my experience and training in working with street gangs that the "FCW" street gang was very active in the early 1990's and were involved in serious street gang violence throughout San Diego County.

Ortiz also showed detectives other tattoos on his body that consisted of "FCW", "San Diego", and "Sur" in the area of his right arm and chest area. During the interview, Ortiz complained of pain to his right arm and head area. Due to his complaints, Ortiz was transported to Paradise Valley Hospital by NCPD Officer M. Harris # 417 for medical evaluation and treatment before being transported to County Jail.

On March 12, 2004, I conducted a record check and criminal history for Richard Ortiz DOB: 10/12/81 and found that he was on three years formal probation for Auto Theft and had special street gang conditions. Richard Ortiz also gave his place of residence as in National City. I was unable to find any street gang documentation on Ortiz as a street gang member, and contacted San Diego Police Department Street Gang Detective David Soliven, who is responsible for the monitoring and investigating gang related incidents in the Southern area of San Diego. Detective Soliven

Reporting Officer	ID#	Division	Approved By	Date of Report	Time	
GRANDE	249	INV	R. G. Triviz	06/11/2004	13:43	

### Continued From San Diego Regional OTHER Officer's Report Detective Supp Case Number Page 10 0402679 6 of Narrative Day of Week Time Code Section And Description (one incident only) PC / 187\*664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED Date 03/11/2004 11:50 District Real Location Of Incident (Or Address) City NATIONAL CITY 240 620 E. 24st St Person(a) Involved: Victim Suspect (If Named) Property Tag No.(s)

confirmed that "Iris Ave." was the former "FCW" street gang and that he had recent information that Richard Ortiz was still active within the street gang and involved in criminal activity. Detective Soliven told me that he was in the process of documenting the "Iris Ave." street gang based on their recent violent criminal gang related activity. Detective Soliven told me that he was also in the process of documenting Richard Ortiz as an "Iris Ave." street gang member based on the information that he had received.

I then conducted a record check and criminal history for Maria Urzua DOB: 12/24/60. Urzua had an extensive criminal history and was on two (2) active orders of probation.

I then conducted a record check and criminal history for had no local or state criminal history.

On March 12, 2004, at about 1130 hrs, Detective Remmers and I conducted a "walk-through" of the shooting scene with Officer D. Harward and Officer C. Miller. Present during the "walk-through" were the officer's attorney, Julie Buechler, San Diego County District Attorneys Investigators B. Henry and V. Giaime, and other detectives who assisted me with crime scene protection during the "walk through". The "walk through" was video taped by Detective Remmers. During the "walk-through", I asked Officer Harward and Officer Miller to attempt to point out their exact location and the location and position of the suspect vehicle during the sequence of events leading up to and during the shooting.

During the "walk through" of the area, detectives were contacted by the apartment complex told detectives that she was sitting in her vehicle, which was parked in the south parking lot of 620 E. 24<sup>th</sup> St. at the time of the incident. Detectives asked to show her location and the locations of the officers and the suspect vehicle during the incident. The locations were marked and depicted by Detective Gelskey through photographs and measurements. (Refer to diagram by Detective Gelskey).

On March 12, 2004, at about 1510 hrs, I interviewed National City Police Service Officer S. Carranza #6203, at NCPD inside the Investigations Division. PSO Carranza's statement was captured on audio and videotape. (Refer to attached report for Carranza's statement).

- 1	Reporting Officer	ID#	Division	Approved By	Date of Report	Time
	GRANDĚ	249	INV	R. G. Triviz	06/11/2004	13:43
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Confinited From OTHER Detective Supp	San Diego Regional Officer's Report Narrative		Page 7 of 10	Case No 0402679		
Code Section And Description (one incident only) PC / 187*664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED Date 03/11/2004				Day of Week THU	Time 11:50	
Location Of Incident (Or Address) City				NAL CITY	District	Beat 240
Person(s) Involved: Victim						
Suspect (If Named)						·····
Properly Tag No.(s)						

After the interview, I showed P position #5. I advised PSO Carphoto line-up. PSO Carranza in which she had contacted I had PSO Carranza circle and videotape of her interview were	ranza of t nmediatel in the we initial Ric	he NCPD phot ly identified Ri est alley of 190 chard Ortiz's p	to line-up admonishment is chard Ortiz as the driver 0 Wilson Ave a few hour hoto. The photo line-up a	and showed of the blue the sbefore the	her the shooting.
Based on the fact that Richard taken from the victim, and his a listed residence at probation.	associatio	n with a local	violent street gang, detect	ives went to	Ortiz's
On March 12, 2004, at about 16 knocked on the front door and of I explained to Ortiz and that he had listed the belligerent toward other detections in the bedroom of answer my question.	was met b Ortiz that address v ves and I	y a Hispanic f I was investig with probation a I asked	emale identifying herself ating an incident involving as his residence.  if Richard Ortiz	as the brother because was living	me very at the
picked up the te the phone that she addressed as handed me the phone. The fema the mother of Richard Ortiz.	"mom".	I asked	if I could speak	to her mothe	
I explained to the asked her if he lived at the resid					
Statement					
(w) told me that eight (8) months due to being a			has not lived at the "L" a itation center because of l		
Reporting Officer GRANDE	ID# 249	Division INV	Approved By R. G. Triviz	Date of Report 06/11/2004	Time 13:43

## Continued From: OTHER San Diego Regional Officer's Report Detective Supp Case Number 0402679 Page 10 8 of Narrative Code Section And Description (one incident only) PC / 187-664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED Location Of Incident (Or Address) Day of Week THU Date 03/11/2004 Time 11:50 City NATIONAL CITY District Beat 240 620 E. 24st St Person(s) Involved: Victim Suspect (If Named) Property Tag No.(s)

abuse, and his conditions of probation. Since Richard's release from the rehabilitation center about one month ago, he has been living with his wife, which will be address or phone number for residence, but knew that she lived at a house on E. 30 <sup>th</sup> St. in National City.
On Wednesday, March 10, 2004, at about 2100 hrs, Richard Ortiz came to Ortiz' residence and asked for a ride to residence. This was the last time that Ortiz had seen her son.
On March 12, 2004, Detective Remmers went to UCSD Medical Center in an attempt to photograph injuries and speak with him about the incident. was sedated and was incoherent. Between March 13, 2004 and March 15, 2004, I had made several phone calls to UCSD Medical Center regarding condition. I was told that was heavily sedated due to the extent of his injuries and was unable to speak with anyone.
On March 16, 2004 at about 0900 hrs, I called UCSD Medical Center and spoke to Nurse was still medicated due to his injuries, but was awake and coherent.
On March 16, 2004, at about 1035 hrs, I arrived at UCSD Medical Center and attempted to speak with with without consent from the hospital administration. After explaining the circumstances to the medical staff, I entered the room and briefly spoke with As I entered the room, I saw that was awake and coherent. He was lying in his hospital bed and I saw a Hispanic female, who I immediately recognized as Maria Urzua, sitting in a chair next to the bed.
I identified myself to and told him that I needed to speak with him about the incident. It told me that he was told by his father not to speak with me without a lawyer present. I explained to that he was not under arrest and based on my investigation so far, that he was a witness to the incident, and did not need an attorney. I also explained to that without a statement from him, it would be difficult to determine his participation in the incident.

Division

INV

ID#

249

Approved By

R. G. Triviz

Reporting Officer GRANDE Time

13:43

Date of Report

06/11/2004

Continued From: OTHER Detective Supp	San Diego Regional Officer's Report Narrative		Page 9 of 10		
Code Section And Description ( PC / 1871664 / ATTEMPTED M	one incident only) IURDER/DEGREE UNSPECIFIED	Date 03/11/2004	Day of Wee THU	k Time 11:50	
Location Of Incident (Or Addres 620 E. 24st St			City NATIONAL CITY	District	8eat 240
Person(s) Involved: Victim Suspect (If Named)		440 1	Water Burgar, 1871.		
Properly Tag No.(s)		- Annex			

was adamant that he wanted a lawyer present, and would not give me a statement. I told that if he changed his mind, to please give me a call and I would return.
After speaking with a line of the spoke to Nurse Supervisor, I asked for an update on injuries and status. Explained that per UCSD Medical Center policy, he was unable to release any information regarding condition or injuries.
On March 29, 2004 was arrested by the National City Police Department for a Domestic Violence incident that occurred in National City. had been identified as a possible suspect along with Richard Ortiz involving the robbery and theft of blue on March 10, 2004. was brought to the Investigations Division, where Detective Remmers and I interviewed him in regarding to his participation in the March 10, 2004 incident. was interviewed on audio and videotape, which was later impounded into NCPD evidence.
After the completion of the interview, it was determined that there was insufficient evidence to show that was an active participant in the robbery/auto theft and he was not charged. was transported to county jail for the domestic violence charge. (Refer to Detective Remmer's supplemental for statement).

# IMPOUNDED EVIDENCE

20729 (1) Videotape (1) Audiotape of Ort					
•	(1) Videotape (1) Audiotape of states interview.				
20720 (1) Widestone (1) Audistone of the	iz, R interview.				
20730 (1) Videotape (1) Audiotape of Ha	(1) Videotape (1) Audiotape of Harward, D interview.				
20731 (1) Videotape (1) Audiotape of Mi	ller, C interview.				
Reporting Officer ID # Division Approved By GRANDE 249 INV R. G. Triviz	Date of Report   Time   13:43				

Continued From: OTHER Detective Supp	San Diego Regional Officer's Report Narrative		Page 10 10 of	Case No 0402679	
Code Section And Description (are incident only)  Date  2444 2004		Day of Week THU	Time 11:50		
EDOCHOLI CA HICKORY ( EAST AND AND )		City NATIONAL CITY	District	Beat 240	
Person(s) Involved: Victim Suspect (If Named) Property Tag No.(s)					

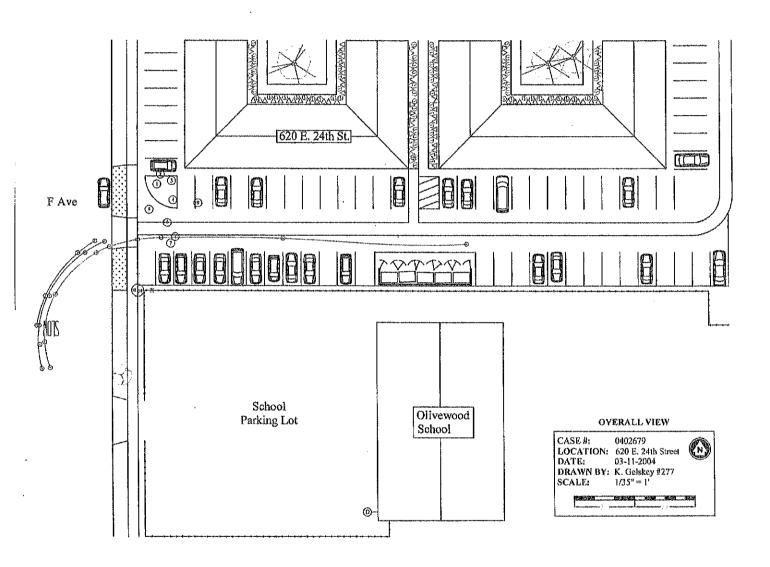
20732	(1) Videotape (1) Audiotape of	interview (I)
20733	(1) Videotape (1) Audiotape of	interview (II)
20734	(1) 8mm videotape of OIS crime scene wal	kthrough.
20735	(1) CD of photos of	njuries.

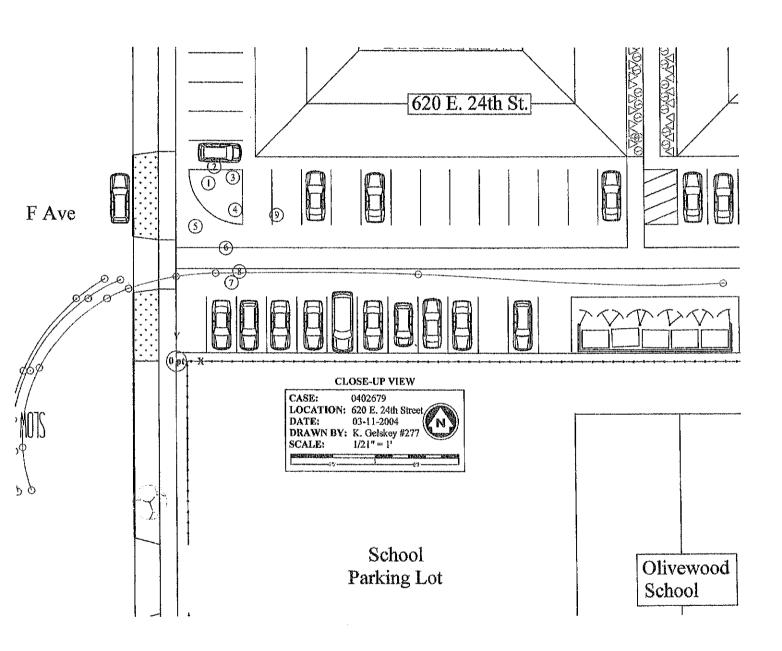
# National City Police Department 1200 National City Boulevard National City, CA. 91950 Phone: (619) 336-4400

Case #		
	Alika. Ja	
	0402679	

#### PHOTO LINEUP

	·	
On (Date):	Ostan and	At (Hours):
At (Location	D429-64	17.77
At (Location	NCPS	•
Victim/Witn	988:	
	Y 1 (2.11 )	
	was read the following statement and the	ien allowed to view the photo lineup:
n ir y ti a	am going to show you a group of photograph not contain a picture of the person avestigated. The fact that these pictures a ou to believe or guess that the guilty personat hairstyles, beards and mustaches are lways depict the true complexion of a personate look through the pictures and study	who committed the crime now being re being shown to you should not cause on has been caught. Please keep in mind easily changed. Also, pictures do not on.
c	ompleted viewing all the pictures, tell dentification.	
I	lentified Photo#.	Could NOT Identify
Comments:		
<u> </u>	HE LOOKS LIKE THE LAUY IN .	± 1
	THE LABILY LILES THE GIGT IN	4F
<u> </u>	· · · · · · · · · · · · · · · · · · ·	
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		•
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Lineup Pr	V 11	·
	LORDENO, E # 356	





620 E. 24th St. F Ave E F [<u>G</u>] [1] WITNESS CASE: 0402679
LOCATION: 620 E. 24th Street
DATE: 03-11-2004
DRAWN BY: K. Gelskey #277
SCALE: 1/21" = 1' MOTS School Parking Lot Olivewood School



CASE:

0402679

LOCATION: 620 E. 24th Street

DATE:

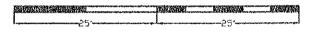
03-11-2004

DRAWN BY: K. Gelskey #277

SCALE:

1/16'' = 1'





Code Section and Description: 664-187 PC (O.I.S)				Case Number: 0402.679
Location: 620 E 24 <sup>th</sup> St. (South Parking lot)			Date: 03/11/04	
Officer Harward, D & Officer Miller, C		Suspect: (S) Urzua (S)Ortiz,	a, Maria, (S)	
Evidence Tag Numbers: 10020175 — 10020186, 10020244			Disposition of B	vidence;
Reporting Officer: Flores #4654	Officer's Report Con- Process Off			·

#### Evidence Supplemental

On March 11, 2004, I was assigned by Detective Grande to process Officer Miller, Chris.

I took overall photos of Officer Miller and collected his uniform and equipment belt, and weapon.

I also did fingernail scarping and did a Gunshot residue kit on the officers hands, uniform, belt and boots.

I also photographed the vehicle Off. Miller was driving, and did a Gunshot residue kit on the exterior and interior drivers door.

Upon completion of my assignment, I impounded all the evidence into the Property and Evidence Unit.

#### **Evidence List**

Property Tag	<u>Description</u>
10020175	(1) pistol cal Ser#
10020176	(1) bullet removed from chamber
10020177	(1) magazine w/ bullets removed from weapon
10020178	(1) magazine w/ bullets removed from Off. Millers duty belt
10020179	(1) magazine w/ bullets removed from Off. Millers duty belt
I0020180	fingernail scrapings
10020181	(1) Gunshot Residue kit from Off. Miller
10020182	(1) Gunshot Residue kit from Off. Millers uniform
I0020183	(1) Gunshot Residue kit from Off. Millers gun belt & boots
I0020184	(1) uniform shirt
10020185	(1) uniform pants
10020186	(4) rolls of 35mm film
10020244	(1) Gunshot Residue kit from Unit 370
End of Report.	

Code Section and Description: 664-187 PC				, , ,	Case Number: 0402679
Location: 620 E 24 <sup>th</sup> St. (South Parking lot)		Date: 03/11/04			
Victim: Officer Harward, D & Officer Miller, C		Suspect: (S) Urzua, 1 (S)Ortiz,Ric			
Byidence Tag Numbers: I0020187 — I0020199, I0020243		Disposition of Ev	idence:		
Reporting Officer: Flores #4654	Officer's Report Con Process Off	corning: ficer Harward	•		

#### **Evidence Supplemental**

On March 11, 2004, I was assigned by Detective Grande to process Officer Harward, Dan.

I took overall photos of Officer Harward and collected his uniform and equipment belt, and weapon.

I also did fingernail scarping and did a Gunshot residue kit on the officers hands, uniform, belt, and boots.

I also photographed the vehicle Off. Harward was driving, and did a Gunshot residue kit on the exterior and interior drivers door.

Upon completion of my assignment, I impounded all the evidence into the Property and Evidence Unit.

#### **Evidence List**

Property Tag	<u>Description</u>
10020187 10020188	(1) pistol auto Ser# (1) bullet 'factoria auto Ser# (2) removed from chamber
10020189	(1) magazine w/ bullets removed from weapon
I0020190 I0020191	(1) magazine w/ bullets removed from Off. Harward duty belt (1) magazine w/ bullets removed from Off. Harward duty belt
I0020192 I0020193	(1) magazine w/ bullets removed from Off. Harward duty belt fingernail scraping
I0020194 I0020195	(1) Gunshot Residue kit from Off. Harward (1) Gunshot Residue kit from Off. Harward gun belt & boots
I0020196 I0020197	(1) Gunshot Residue kit from Off. Harward uniform (1) uniform shirt
I0020198	(1) uniform pants
I0020199 I0020243	(4) rolls of 35mm film (1) Gunshot Residue kit from Unit 437

End of Report.

Code Section and Description; 664-187 PC					Case Number: 0402679
Location: 620 E 24 <sup>th</sup> St. (South Parking lot)			Date: 03/11/04		/04
Victim: Officer Harward, D & Officer Miller, C		Suspect: (S) Urzua (S)Ortiz,R	, Maria, (S)		<b>—</b>
Bvidence Tag Numbers: I0020165 — I0020174			Disposition of E	vidence:	
Reporting Officer: Flores #4654	Officer's Report Concern Crime Scene	ning:	<b></b>	J-11300	

#### Evidence Supplemental

On March 11, 2004, I was assigned to assist Detective Gelskey to process the crime scene located on 621 E 24<sup>th</sup> St.

I took photographs of the crime scene and collected all the evidence. (refer to my evidence list below).

#### Evidence List

Property Tag	<u>Description</u>	
I0020165	(1) casing (	cal (Cal
10020166	(1) casing (	cal (
I0020167	(1) casing (	cal (
10020168	(1) casing (	cal (
10020169	(1) casing (	cal (
10020170	(1) casing (	cal
10020171	(1) casing (	auto)
10020172	(1) casing (	auto)
T0020173	(1) casing (1	cal
I0020174	(3) roll of 35mm fil	m of crime scene

End of Report,

Code Section and Description: 664-187 PC					Case Number: 0402679
Location: 620 E 24 <sup>th</sup> St. (South Parking lot)		Date: 03/11.	/04		
Viotim: Officer Harward, D & Officer Miller, C		Suspect: (S) Urzua, I (S)Ortiz,Ric	Maria, (S)		<b></b> ,
Evidence Tag Numbers: I0020187 — I0020199			Disposition of Evi	dence;	
Reporting Officer: Flores #4654	Officer's Report Con Process Offi	cerning: ficer Harward		-	

#### **Evidence Supplemental**

On March 11, 2004, I was assigned by Detective Grande to process Officer Harward, Dan.

I took overall photos of Officer Harward and collected his uniform and equipment belt, and weapon.

I also did fingernail scarping and did a Gunshot residue kit on the officers hands, uniform, belt, and boots.

I also photographed the vehicle Off. Harward was driving, and did a Gunshot residue kit on the exterior and interior drivers door.

Upon completion of my assignment, I impounded all the evidence into the Property and Evidence Unit.

#### Evidence List

Property Tag	<u>Description</u>
10020187	(1) pistol auto Ser#
10020188	(1) bullet 'and auto" removed from chamber
I0020189	(1) magazine w/ bullets removed from weapon
10020190	(1) magazine w/ bullets removed from Off, Harward duty belt
10020191	(1) magazine w/ bullets removed from Off. Harward duty belt
I0020192	(1) magazine w/ bullets removed from Off. Harward duty belt
10020193	fingernail scraping
10020194	(1) Gunshot Residue kit from Off. Harward
10020195	(1) Gunshot Residue kit from Off. Harward gun belt & boots
10020196	(1) Gunshot Residue kit from Off. Harward uniform
I0020197	(1) uniform shirt
10020198	(1) uniform pants
10020199	(4) rolls of 35mm film

End of Report.

Code Section and Description: 664-187 PC (O.I.S)					Case Number: 0402679
Location: 620 E 24 <sup>th</sup> St. (South I	Parking lot)			Date: 03/11	/04
Viotim: Officer Harward, D & Officer Miller, C		Suspect: (S) Urzua (S)Ortiz,I	ı, Maria, (S)I		
Evidence Tag Numbers: I0020175 — I0020186			Disposition of Ex	vidence:	
Reporting Officer: Flores #4654	Officer's Report Con Process Of	cerning: ficer Miller			

#### **Evidence Supplemental**

On March 11, 2004, I was assigned by Detective Grande to process Officer Miller, Chris.

I took overall photos of Officer Miller and collected his uniform and equipment belt, and weapon.

I also did fingernail scarping and did a Gunshot residue kit on the officers hands, uniform, belt and boots.

I also photographed the vehicle Off. Miller was driving, and did a Gunshot residue kit on the exterior and interior drivers door.

Upon completion of my assignment, I impounded all the evidence into the Property and Evidence Unit.

#### **Evidence List**

Property Tag	Description
10020175	(1) pistol cai Ser#
I0020176	(1) bullet 'grant and 'removed from chamber
10020177	(1) magazine w/ bullets removed from weapon
I0020178	(1) magazine w/ bullets removed from Off. Millers duty belt
10020179	(1) magazine w/ bullets removed from Off. Millers duty belt
10020180	fingernail scrapings
10020181	(1) Gunshot Residue kit from Off. Miller
10020182	(1) Gunshot Residue kit from Off. Millers uniform
I0020183	(1) Gunshot Residue kit from Off. Millers gun belt & boots
10020184	(1) uniform shirt
I0020185	(1) uniform pants
10020186	(4) rolls of 35mm film

End of Report.

#### LABORATORY REQUEST FORM

San Diego Sheriff's Department

SDSD CASE# 04001391T

AN INCIDENT REPORT MUST ACCOMPANY THIS FORM FOR TRACE AND DNA CASES	
PRIORITY: (CHECK ALL THAT APPLY, FILL IN COURT DATE)	
1. O I S 2. HOMICIDE 3. IMPENDING 4. COURT DATE SET FOR: ARREST/RELEASE	
5. JUVENILE CASE 6. ROUTINE /	
TODAY'S DATE CRIME DATE CRIME TYPE DIVISION / OUTSIDE AGENCY CASE NUMBER / OUTSIDE AGENCY CASE NUMBER / OUTSIDE AGENCY CASE N	
INCIDENT LOCATION E. 28 TO 5T	
REPORTING OFFICER ID ASSIGNED DETECTIVE ID PHONE #	
E-MAIL  FAX  MAIL STOP	····
336 - 4470 RELATED CASE # (IF A	100
HAS OTHER EVIDENCE BEEN PREVIOUSLY SUBMITTED ON THIS CASE? Y N	NT)
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NAME (LAST, FIRST, MIDDLE)	
V DRTZ RICHARD	
S RACE SEX DOG 10 (23)	
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Color St Parson Sond to north an assis associations	
COOK IN THE PORT DETTE TO PAPERSY ALL MOSTER DOOR	
Trajectory done to impounded VEH at NCPD underground cage. It Person sent to perform assignment was Lance Martini. & Tech Marie Durane	

## NATIONAL CITY POLICE DEPARTMENT CRIME LAB WORK REQUEST

DATE: 051404	PERSON REQUESTING: Flor	
CASE # <u>10402619</u>	_ TAG#_ SDS 0 # 0400 13	391 T
TEMS SUBMITTED: NEC NCPD	ED TRAJECTURY PONE OF	1 VEH. AT
WORK REQUESTED:		
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BENDING REPORT

May. 14 2004 11:48AM

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TO TURN OFF REPORT, PRESS MENU #04 SET. THEN SELECT OFF BY USING JOG-DIAL.

IF YOU HAVE A PROBLEM WITH YOUR FAX MACHINE, CALL TOLL-FREE 1-800-HELP-FAX (1-800-435-7329).

#### FIELD PROPERTY RECEIPT / RELEASE FORM

NATIONAL CITY POLICE DEPARTMENT, CITY OF NATIONAL CITY, CALIFORNIA 1200 NATIONAL CITY BLVD \* NATIONAL CITY, CA 91950-4594 \* (619)336-4447

NCPD CASE # 04 02679		DATE 03/604
OFFICER'S NAME / ID# DET. GRAND	<u>E</u>	and the state of t
EVIDENCE SAFEKEEPING PROPERTY RECEIVED FROM:	FOUND    Contract   Co	HELD PER 8102 W&I (5150 W&I) SEARCH WARRANT
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LASTNAME HERST HARWARD	MIDDLE	PHONE NUMBER ( )
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FOUND PROPERTY		
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ACKNOWLEDGMENT (MUST BE SIGNED	BY PERSON IN POSSESSION OF	PROPERTY)
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PROPERTY RELEASED TO: XI DANVEC +	freuses	DATE 3 16 84
IDENTIFICATION TYPE / NUMBER		
MUST CALL TO MAK	CE AN APPOINTI	VIENT 336-4447



#### San Diego Sheriff's Department CRIME LABORATORY

5255 Mt. Etna Or. San Diego, CA 92117 (858) 467-4600



#### LABORATORY SERVICE REPORT

TR6# 10020240

REQUESTED BY:

GRANDE#249

..DSO #:

04001391-T 0402679

AGENCY/DIVISION:

NATIONAL CITY POLICE DEPARTMENT

AGENÇY#:

SUSPECT (S):

RICHARD ORTIZ

ORIME:

**OIS** 

VICTIM (s):

OFFICERS HARWARD AND MILLER

03/12/2004 CRITE DATE:

#### SERVICE REQUESTED:

**Print Comparison** 

#### **EVIDENCE SUBMITTED:**

Item #1 - Six (6) latent print cards lifted by Flores #4654

#### **RESULTS:**

Richard Ortiz, DOB: 10/12/81, was identified.



#### **FINDINGS:**

As requested, the known prints of Richard Ortiz were obtained from Sheriff's Records Asia.on and compared to the submitted latent prints. The following results were made:

Card 1 of 6, lifted from "Exterior driver door," two (2) usable latent prints were not acculified.

Card 2 of 6, lifted from "interior rear view mirror," six (6) latent prints were identified at he right thumb of Ortez.

Card 3 of 6, lifted from "interior rear view mirror," eight (8) latent p ints were identified to the right thumb and

one (1) latent print was identified to the left thumb of Ortiz.

Card 4 of 6, lifted from "exterior driver door," the usable latent print was not identified

Card 5 of 6, lifted from "exterior driver door," no usable latent print was noted.

Card 6 of 6, lifted from "exterior passenger front door," no usable la ent print was note

Small areas of ridge detail are also noted, however, remain unexamined. If a complete asseexamination becomes necessary or additional suspects are developed, please resubmit with major case prints and a Lab Service Request.

Send Apriler

PROPERTY/EVIDENCE FORM San Diego Sheriff's Department	Addition	4/14/54 DF	CA S. G.	4501391T
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#### San Diego Sheriff's Crime Lab Crime Scene Report



NCPN# DUD2679

Case #:

04001391-T

Event#: 1

Crime: OIS

Event Date: 03/30/2004

Time Notified: 6:30 AM

By whom: L. MARTINI

Event Address: NATIONAL CITY POLICE DEPARTMENT, 1200 NATIONAL CITY BLVD.

General Location: NATIONAL CITY

Time Arrived: 7:52 AM

Time Of Departure: 11:00 AM

Name/Title: FET M. DURINA

Detective: D. GRANDE

Detail: INVESTIGATIO Team:

Agency: NCPD

Victim: NCPD OFFICERS DANIEL HOWARD AND CHRIS MILLER

Suspect: 1) URZUA, MARIA 2) 3) ORTIZ, RICHARD

Service Requested: FIELD CALL - VEHICLE PHOTOGRAPHY

#### Narrative:

On Tuesday, 03/30/04 at approximately 0630 hours, Criminalist L. Martini contacted me at the Crime Laboratory and requested that I respond to National City Police Department, 1200 National City Blvd., National City, to assist him with the processing of a vehicle at that location that had been involved in an officer involved shooting on 3/11/04. (NCPD Case #042679.)

At approximately 0752 hours, I arrived at the National City Police Department and met with Criminalist L. Martini and National City Police Detective K. Gelskey. We proceeded to the underground secured vehicle processing area at this time. At the request of Detective Gelskey and Criminalist Martini, I took overall and specific 35mm photographs of the vehicle, a 1986 bearing CA license plate #

I concluded this assignment and departed from National City Police Department at approximately 1100 hours. On 04/02/04, I released sixty-three (63) unlabeled 35mm photographs to L. Martini. On 04/02/04, I released one set sixty-three (63) of unlabeled photographs to Detective K. Gelskey at National City Police Department.

Reported By:

Report Date: 04/02/2004

Huring Reviewed By Charles H. Menings #4711 4/2/04 4/5/04 Page 1 of 1

0402679

D Provide appropriate VERBAL translation in preferred language.

The examination and treatment that you received were on an emergency basis only. They are not intended to be a substitute or replacement for complete medical care. For your protection, it is advised that you follow the general recommendations below:

- 1. If complications arise, call your doctor or the doctor to whom you have been referred immediately. If the doctor cannot be reached, return to the emergency department.
- · 2. Have your prescriptions filled and follow precisely the directions on the labels.
  - 3. The X-ray report given to you is NOT final. Final review by the radiologist will usually be made within 24 hours. Significant discrepancies or additional findings will be communicated to you or your doctor by the emergency department staff. If indicated, you may be requested to return for additional studies and/or treatment.
  - 4. Copies of the emergency department record, including all lab and x-ray results, can be obtained from the medical records department. Please advise your doctor to obtain copies of all studies performed in the emergency department.

in your medical record:	f your condition. Additional contributing factors may be listed
A follow-up evaluation by your doctor or a doctor to whom you ha an appointment within the time frame specified below. Should pro THE EMERGENCY DEPARTMENT. Some conditions may re than 24 hours). If it is not possible to schedule this re-evaluation w return to the emergency department as specified below, if indicated	blems develop prior to your follow-up visit, RETURN TO equire a repeat evaluation within a short time interval (i.e., less vith your doctor or the doctor to whom you have been referred, l.
Follow-up with YOUR PRIMARY CARE PHYSICIAN or t	he physician to whom you have been referred
Physician Referral Office Phone	
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, 4th. St * National City, CA * 91950	OR112, 10/12/1981 M 022Y 10/12/1981
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Paradise Valley Hospital

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470-4141





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SEE REVERSE

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ould permit identification of the patient.					
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San Diego County
SHERIFF'S DEPARTMENT

**BOOKING INTAKE / PERSONAL PROPERTY INVENTORY** 

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# San Diego County SHERIFF'S DEPARTMENT

**BOOKING INTAKE / PERSONAL PROPERTY INVENTORY** 

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### FIELD PROPERTY RECEIPT / RELEASE FORM

NATIONAL CITY POLICE DEPARTMENT, CITY OF NATIONAL CITY, CALIFORNIA 1200 NATIONAL CITY BLVD \* NATIONAL CITY, CA 91950-4594 \* (619)336-4447

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#### **Check-Out Release Form**

**Property Facility** 

National City Police Department 1200 National City Blvd National City CA 91950

Destination

CRIME SCENE SPECIALISTS 1200 NATIONAL CITY BLVD NATIONAL CITY, CA 91950

(619) 336-4447

Case Number: 0402679

Case Officer: 330

E 28TH STREET

Officer Gonzales, Manuel

Released By: 4654 Released To: 7934 PES Flores, April CSS Chavez, Amelia Rec ID: 9027

Date: 3/18/04 Time: 10:05 am

Item ID Description

10019844

DIGITAL CAMERA DISC

Serial Number

Quantity

Page 1 of 1, 1 items 1 total items released

SIGNER ACKOWLEDGES RECEIPT OF ABOVE ITEMS AND THE RESPONSIBILITIES THEREIN. CSS Chavez, Amelia

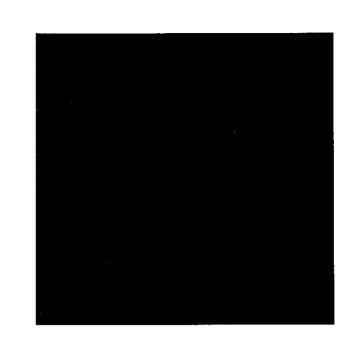
Print Name

Signature

POLICE D HOLD TO CHIP, D NO HOLD TO SHERIFF D ACCIDENTO	TOM MOYNAHAN 3200 NATIONAL CITY BOULE NATIONAL CITY, CALIF. 91	VARD EG		A O O O E		
MARSHAL DI STRAIGHTO	477-9362 FAX 477-6589	165		46365 T		
PUBLIC D DEALER D	· · · · · · · · · · · · · · · · · · ·	4	US .			
REPO   IMPOUND   STORAGE	,	,	DATE	3-11-14		
NAME:	TOWED FRONT	REAR	COMMUNICATION	IS DISPATCHER!		
ADDRESS:	REGULAH TOW	T		TIME OUT		
CITY & STATE:	ACCIDENT TOW	570 100	TYPE:	TIME ARRIVED		
MAKE & YEAR:	ONE & ONEHALF RATE		POLICE	LEFT SCENE		
LICENSE & STATE	HEAVY DUTY RATE			TIME IN		
I.D. NUMBER	MILEAGE		DRIVER:	TRUCK:		
TOWED FROM: (00) / DC	LABOR AT SCENE		MILEAGE END			
	ADDITIONAL TRUCK		BEGI	N		
TOWED TO: A COMP ST	TIME USED: FROM		TOTA	VL.		
	го		STORAGE: TIME	IN DATE		
REASON FOR TOW:	EXTRA MAN:		TIME	OUT DATE		
SECOND TOW TO:	TIME FROM		HATE: PER H	IOUR FIRST 12 HOURS		
ITEMS REMOVED FROM VEH:	то		\$ MAXIMUM PER DAY			
	DOLLY:		SDPD IMP. REPOR	TED TO:		
VEH. RECEIVED AT SOPD BY:	" DRY RUN:		BY: DAT	E TIME		
BILL TO // (P/)	SECOND TOW CHARGE:		RELEASED BY:	<u></u>		
RO # P.O. #	STORAGE:		DISPOSITION: (F	TO) (LS) (BS)		
CALLED BY: REC'D. BY: \ /	(LS) (KEYS, ETC.)		NAME:			
RELEASE TO:	DLR, DISC.		ADDRESS:	11/11/		
CK. # CASH CHG.	TOTAL	WW DAVID	TELEPHONE:	42124		
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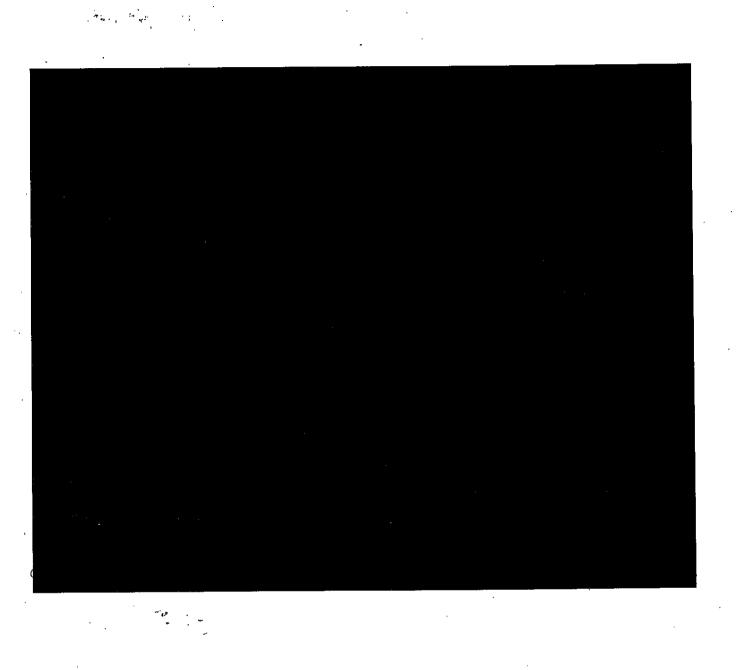
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VANDALIZED	}		<u> </u>	RADIO	-			BATTERY		**********		FIREARMS	Ī		LEFT REAR			
ENG. / TRANS	S. STRIP	**********		TAPE DEGI	K	***************************************		DIFFERE	VTIAL			OTHER	-		RIGHT REAR			
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		STOLEN / EMBEZ	ZLED NARRATIVE		, , , , , , , , , , , , , , , , , , ,	1
	2. TAKEN FROM				i	GISTRATION IN VEHICLE?
RURAL Z4-URBAN		ARKING LOT GARAGE	DRIVEWAY OTI	HER		YES NO
4. WAS NEIGHBORHOOD CHECKED FO WITNESSES, CLUES, OTHER CRIME	8? <u> </u>	Z VES NO	AKES NO	YES YES	7xo	VES NO
6. WHEN WAS VEHICLE LAST SERVICE	\ <u>A</u>	10. WHERE?	· · · · · · · · · · · · · · · · · · ·			fno :
12. RECENTLY LEFT IN PARKING GARA OR PARKING VALET SERVICE?	AGE YES	13. IF YES, WHERE?	, F		(E) YES	PED WITH ORIGINAL ENGINE?
IS. ORIGINAL TRANSMISSION? :	16. ORIĞINAL PAINT?	17: IF ANSWER TO 14; 15,-OR 1	6 IS NO, PROVIDE ADDITIONA	AL INFORMATION,	BERIAL NO., ORIGINAL	COLOR, ETC.
8. HAS VEHICLE BEEN PREVIOUSLY ( ACCIDENT? YES MO		19. IF YES, HAS DAMAGE BEEN		20. PARTS DAN	AGED	
1: FACTORY EQUIPPED RADIO?		22. IF NO, MAKE AND SERIAL N	0.	23; DOES VEHI	CLE HAVE LOCKING G	AS CAP?
24. IS VEHICLE FULLY INSURED?		26. NAME / ADDRESS OF INSUI				
26; NAME / ADDRESS OF NEAREST RE	LATIVE NOT LIVING WITH F	1	- 1		, ·	,
77. IDENTIFYING MARKS, BUMPER STI	CKERS, ADD ON EQUIPMEN	NT, ETC.		• • • • •	· "	
NONE B. SUSPECT NAME	'engs	DRIVER LICENSE NO. / STATE	ADDRESS		· · · · · · · · · · · · · · · · · · ·	
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entropy of the second s	Maria America	RECOVERY	NARRATIVE	Mesercial Communication		
9. NAME, DATE AND CASE NUMBER O	P REPUBLING AGENUT	• • • •			•	
00. AREA RECOVERED 31. 1	DESCRIPTION OF RECOVER	RY AREA	*.*		<u></u>	ery Mplete
33. ANY EVIDENCE LOCATED? 34.1	WITNESSES, CLUES AND O	THER CRIMES		1	85. HAVE MISSING, ENTERED IN SV	DENTIFIABLE PARTS BEEN  S? YES NO
		COMPONEN	recovery		· · · · ·	
6. DESCRIPTION	And the state of t		97, SERIAL NO.	, , , , , , , , , , , , , , , , , , ,	<del>, , , , , , , , , , , , , , , , , , , </del>	
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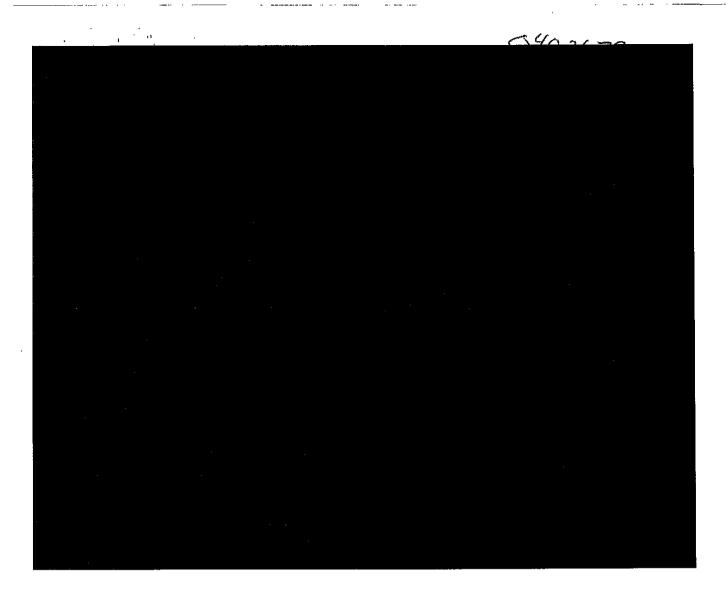
#### RECOVERED STOLEN VEHICLE RECORD OF NOTIFICATION

the recovering officer the telephone number and condition of the r unknown, or notificat shall notify the report condition of the recove	oort: 311 original rep , shall imm of the repo ecovered v ion attempt ing party b vered vehice g police ag	orting police a ediately attem orting party is a chicle. If the res were unsuccey placing, in the This writtenery's receip	gency, upon receipt of the inform pt to notify the reporting party by available or readily accessible, of eporting party's telephone number essful, the original reporting policies mail, a notice providing the locen notice shall be mailed within tof the information of the recovery	telephone, if the location or is the agency ation and 24 hours of
Notification		ion made?	If no, message left/	Initials
Date/Time	YES	NO	contact information	Thitials
1735 31104		<u> </u>	At Array	<del></del>
2035 03/104	У		NOTIFIED BY DETENTIONS SEED NUMBER TO BE NOTHE	
	<u> </u>	( <i>")</i>	Per Deregrise's	
75	<u> </u>		1 EL 11605/1963	
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FORW	ARD TO	RECORDS F	OR LETTER NOTIFICATION	
Date:			Forwarded by:	
	following r	eason. Please	ehicle (see attached report) has be notify victim by mail.	
Victim has move			hers	
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sentralization and it.			mber for the victim.	
No victim phone	e number li	sted in CLETS	entry.	
Other:				
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STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
VEHICLE REPORT
CHP 180 (Rev. 2-99) OPI 061

NOTE:	CHP	180 IS	<b>FURNISHED</b>	TO ALL	PEACE
OFFICE	RS B	Y THE	CALIFORNIA	HIGHW	AY PATROL

REPORTING DEPARTMENT	OCATION CODE DATE / TIME OF REPORT	NOTICE OF STORED VEHICLE FILE NO.	2679
LOCATION TOWED / STOLEN FROM	ODOMETER READING	VIN CLEAR IN SVS? YES NO DATE! TIME DISPATCE	H NOTIFIED LOG NO.
600 E. 2811	329880	LIC. CLEAR IN SVS7 YES NO 3/11/04	1445
YEAR	BODY TYPE	177.	SONTH/YEAR STATE
VEHICLE IDENTIFICATION NO.		ENGINE NO. VALUATION BY	
		, 0-300 901-400	0 4001 + \$ .
REGISTERED OW	NER	LEGAL OWNER	
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SAN DIEGO	CA 92/05	CE 3-11-04	
	JPOUNDED	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	- VEHICLE COMPONENT
TOWING TEXTORAGE CONGERN (NAME, ADDRESS, PHONE	2222 NAL 1	AVE SD STORAGE AUTHORITY	TREASON EVIDENCE
TOWED TO A STORED AT	AIRBAG?	DRIVEABLE?	VIN SWITCHED?
NCRO	₩ YES NO	1 2 YES NO JUNK	UNK YES NO
CONDITION YES NO ITEMS WRECKED SEAT (FROM		YES NO ITEMS YES NO TRESING	CONDITION FACE
BURNED HULK per 431(c) VC SEAT (REAR		· · · · · · · · · · · · · · · · · · ·	
VANDALIZED X RADIO	BATTERY BATTERY	FIREARMS X LEFT REAR	FAIR
ENG. / TRANS. STRIP		OTHER Y RIGHT REAR SPARE	+ A LK
MISC. PARTS STRIP  BODY METAL STRIP  X TAPES  OTHER RAD	TRANSMISSION  AUTOMATIC	SPARE HUBCARS	***************************************
SURGICAL STRIP per 431(b) VC X IGNITION KE		A SPECIAL WILL	ECT A Service
	GENCY HOLD 22850.3 VC	GARAGE PRINCIPAL / AGENT STORING VEHICLE (SIGNATURE)	the state of the s
Mission of the commence of the continue of the	VIDENCE)		
NAME OF PERSON / AGENCY AUTHORIZING RELEASE	I.D. NO. DATE	CERTIFICATION: 1, THE UNDERSIGNED, DO HEREBY CERTIFY AUTHORIZED AND ENTITLED TO TAKE POSSESSION OF THE A	THAT I AM LEGALLY BOVE DESCRIBED YEHICLE
SIGNATURE OF PERSON AUTHORIZING RELEASE		SIGNATURE OF PERSON TAKING POSSESSION	
STOLEN VEHICLE / COMPONENT	☐ EMBEZZLEC	VEHICLE PLATE(S) RE	PORT
DATE / TIME OF OCCURRENCE	DATE / TIME REPORTED	NAME OF REPORTING PARTY (R/P)	DRIVER LICENSE NO. / STATE
LAST DRIVER OF VEHICLE	DATE / TIME	ADDRESS OF R/P	TELEPHONE OF RIP
I CERTIFY OR DECLARE UNDER PENALTY OF PERJURY UNTILE STATE OF CALIFORNIA THAT THE FOREGOING IS TRU		SIGNATURE OF PERSON MAKING REPORT	
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RESIDENCE OF THE PROPERTY OF T	Particular (Contraction and Contraction (Contraction Contraction) and in the Contraction (Contraction Contraction	EHICLE DAMAGE, ARRESTS]	nequire of the first of the fir
DRIVER'S NAME	ARRESTED / SECTION?	REPORTED BY CARGO / TYPE?	VALUE \$  BILL OF LADING ATTACHED
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PRONT LEFT SIDE	ON LA ORIGINA	IT SIDE REAR	TOP
SIGNATURE OF OFFICER TAKING REPORT	LD. NO. SUPERVISOR	REQUIRED NOTICES SENT TO REGISTERE! AND LEGAL OWNERS PER 22862 VC?	
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OSP 90 18768 PROFILE			_ 0

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AREA	2 TAKEN FROM	VI					-	* * *	3. REGIST	RATION IN VEHICLE
RURAL URBAN	STREET	PAI	RKING LOT	GARAGE	DRIVEWAY	от⊦	ER	<u> </u>	YÉS	§
WAS NEIGHBORHOOD CHECK	ED FOR VEHICLE,	YES	6. PAYMENT	S CURRENT?	6. DOORS LOCK			, , , , , , , , , , , , , , , , , , , ,		YS ACCOUNTED FO
MITNESSES, CLUES, OTHER		NO	YES	NO	YES	!เงอ	YES	\	YES	
WHEN WAS VEHICLE LAST SE	RVICED?		10. WHERE?	produktiva.	1 380	,		YE THIS		ECHANICY 12  COS
RECENTLY LEFT IN PARKING	CARAGE	-YES	13. IF YES, V	MHERE?		1 /3-/				WITH ORIGINAL ENG
OR PARKING VALET SERVIC	20 1 1 1 1	77NO -			ال يا يا			∵   □ YE	s - NO	UNK
ORIGINAL TRANSMISSION?	16, ORIGINAL I	PAINT?	17. IF ANSW	ER TO 14, 15, OR	16 IS NO, PROVIDI	E ADDITIONA	L INFORMATIC	N, SERIAL NO.,	ORIGINAL COL	OR ETC.
YES NO	YE8	NO			1 1 1 1			$:: \mathcal{L}_{\mathcal{C}}$	from the fo	41 14 11 11
. HAS VEHICLE BEEN PREVIOUS ACCIDENT?	USLY INVOLVED IN AN	1 200 (	P******	HAS DAMAGE BEE	N FIXED?	•	20. PARTS I	AMAGED		
FACTORY EQUIPPED RADIO	NO		22 JE NO M	B NO NO NAKE AND SERIAL	NO.		23. DGES V	HICLE HAVE LO	OCKING GAS C	AP7
YES . NO		,	3 A. m.a	IIIC TO OLIVE			YES		•.	$\mathcal{M}$ .
IS VEHICLE FULLY INSURED	7		25. NAME / A	ADDRESS OF INSI	URANCE COMPAN	<b>Y</b> (1) * (4)		· \	C.A	
YES NO					<u> </u>				. <u> </u>	
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SUSPECT NAME		<u> </u>	DRIVER LICE	ENSE NO. / STATE	ADDRESS	<u> </u>			n v a ke an	
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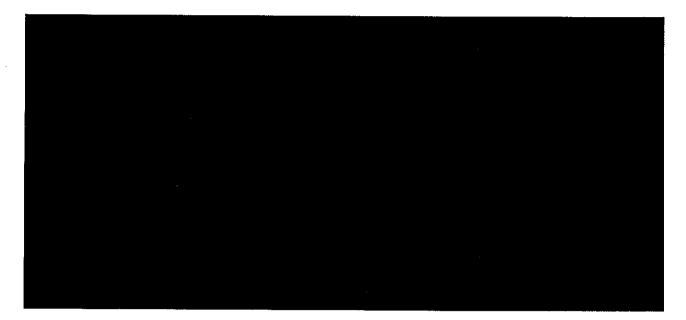
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#### STATUS CODES - RECOVERED VEHICLES

#### 1ST DIGIT - CONDITION OF VEHICLE

- A = VEHICLE NOT DAMAGED, STRIPPED, OR BURNED
- **B** = VEHICLE STRIPPED OF MAJOR COMPONENTS/NOT BURNED
- C = VEHICLE STRIPPED OF MINOR COMPONENTS/NOT BURNED
- D = VEHICLE BURNED/NOT STRIPPED.
- E = VEHICLE BURNED/STRIPPED OF MAJOR COMPONENTS
- F = VEHICLE BURNED/STRIPPED OF MINOR COMPONENTS
- G VEHICLE DAMAGED/NOT STRIPPED.
- H = VEHICLE DAMAGED AND STRIPPED
- I = LICENSE PLATES RECOVERED (LOST OR STOLEN LICENSE PLATE RECORDS)
- J = VEHICLE NOT DAMAGED/CARGO THEFT ONLY
- U = VEHICLE PARTS RECOVERED (STOLEN VEHICLE PART RECORDS)

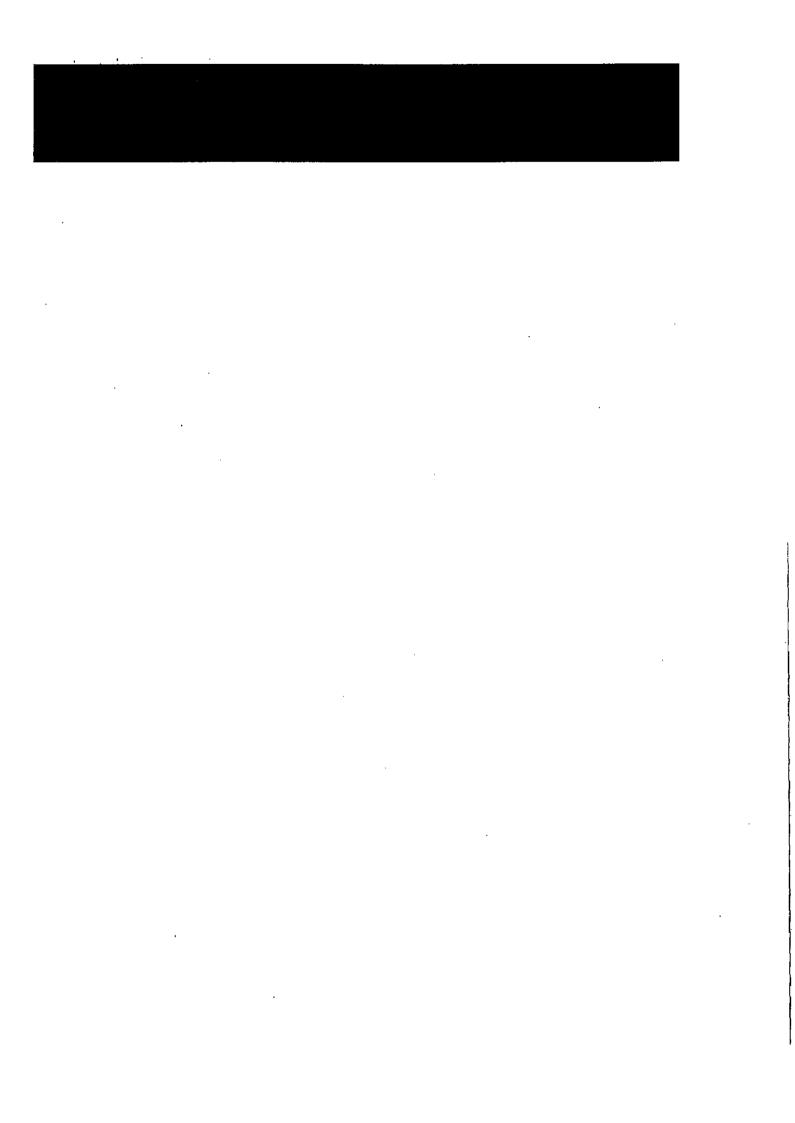
#### 2<sup>ND</sup> DIGIT - PERTAINS TO LICENSE PLATES

- $0 \neq NO$  PLATES MISSING, VIN OK
- I = ONE PLATE MISSING, VIN OK
- 2 = 2 PLATES MISSING, VIN OK
- 3 = NO PLATES MISSING, VIN REMOVED OR ALTERED
- 4 = ONE PLATE MISSING, VIN REMOVED OR ALTERED
- 5 TWO PLATES MISSING, VIN REMOVED OR ALTERED
- 6 NO PLATES MISSING, VIN PLATE SWITCHED
- 7 = ONE PLATE MISSING, VIN PLATE SWITCHED
- 8 = TWO PLATES MISSING, VIN PLATE SWITCHED
- U = PARTS RECOVERED (STOLEN VEHICLE PARTS RECORDS)
- I = LICENSE PLATES RECOVERED (LOST OR STOLEN LICENSE PLATE RECORDS

### 3RD DIGIT - PERTAINS TO CUSTODY STATUS

Y = SUSPECT IN CUSTODY N = SUSPECT NOT IN CUSTODY

REVISED: 11/07/00



NATIONAL CITY POLICE DEPARTMENT ADDITIONAL PROPERTY / EVIDENCE FORM

		-
DACE	CASE NUMBER	DIVIA
MAGE	LONDE MOMBER	DINA
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II OFF	L / 74/1/6/7	

RELATIONSHIP CODES: V = VICTIM O = OWNER F = FINDER S = SUSPECT W = WITNESS

PERSON SI			ID#		DIVISION		}	DATE 04/21/04
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#### Law Offices of Mark A. Bush

A Professional Law Corporation

April 21, 2004

National City Police Department Records Dept. 1200 National City Blvd. National City, CA 91950

Re:

Our Client:

Date of Accident:

Location:

India 41

March 11, 2004

28th Street & Highland Avenue

Dear Records Dept:

We are in immediate need of the traffic collision report (and any related reports) including any photographs for the incident described above. We enclose a signed authorization and our check for \$10.00.

Thank you for your prompt attention to this request.

Very truly yours,

Mark A. Bush

PECIETYPE N APR 2 2 2004

0402679

### Authorization for Release of Information

To: From:	National City Police Dept.
	Accident report
	I, DO HEREBY
	DRIZE NATIONAL CITY POLICE DEPARTMENT TO RELEASE TO MY ATTORNEYS
	AW OFFICES OF MARK A. BUSH OR THEIR REPRESENTATIVES ANY AND ALL
	MATION RELATIVE TO THE MOTOR VEHICLE ACCIDENT OF <u>3 /// /o ८/</u>
	2004. SPECIFICALLY, I AUTHORIZE AND INSTRUCT THE NATIONAL CITY PÓLICE
DEPA	RTMENT TO RELEASE TO MY ATTORNEYS THE TRAFFIC COLLISION REPORT
NUMB	ER UNKNOWN AND ANY PHOTOGRAPHS ATTACHED THERETO.
DATE	0:4/21/04

# NATIONAL CITY POLICE DEPARTMENT APPLICATION FOR RELEASE OF INFORMATION

PLEAȘE PRINT CLEARLY	REPORT NUMBER 402619
Name	Phone
0 10	Parameter and the state of the
Address	
City San Diego	State G- zip 92139
This will certify that as / Victim Driver Prope	erty OwnerPassengerPedestrianParty of Interest,
or representative of the above, who because of age or	physical condition prevents him from representing himself, I
Torse a common intermedia this a shidowthin aidout	
	M. 111 511
Signature	Date /1/anc/ 16,04
Type of Report Requested: Traffic Accident / Dom	nestic Violence Identity Theft
Vehicle Theft include License number	Other Explain) PUTCE Shooting at B Solen Car
Date of Accident or Incident Nach 1, 200	Date March 16, 64  nestic Violence Identity Theft Other Explain) DICE Shooting at a stolen car  Stolen car nit's my car
	t Next to Sweetwater High School
	and my Ex step daughter adelay in processing your request.
Note: Incomplete or illegible information may appear	adday in processing your request
	LETE THIS SECTION. YOU MUST PROVIDE A POLICY
OR CLAIM NUMBER.	
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Address	
Representing	
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	REPRESENTING INVOLVED PARTY – COMPLETE
THIS SECTION. YOU MUST PROVIDE A SIGNED	AUTHORIZATION OF INDIVIDUAL REPRESENTED.
This is to contife that I warmagest	who was Visting Dunganity Comes
This is to certify that I representOtherOther	who wasVictim, Property Owner,
Dilver,Fassenger,Fedestran,Outer	
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Signature	Date
	,
DEPARTMENT USE ONLY	· · · · · · · · · · · · · · · · · · ·
	2411
Identification(DL,)	Other Verified by
Date Mailed 3/19/10 Date Picked up at Front C	Other Verified by 70
Date Mailed	Jounter Amount 70
Other Notes:	
CHECT TACKES!	
Rev. 3/03	



### National City Police Department Property and Evidence

r

FAX Transmission Cover Sheet

. :	Date: <u>051404</u>
TO: 5750	FAX#: 858.467-4650
ATTN: <u>Celia</u>	Total pages including the cover sheet:
FROM: April	PROPERTY & EVIDENCE DEPARTMENT
REFERENCE: 5050 H	040013917

The information contained in this transmission is privileged, confidential and intended for the use of the individual or entity named about. If you are not the intended recipient you are hereby notified that any reading, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original communication to us at the address printed below via the United States mail. We will reimburse you for the mailing costs.

Thank You

NATIONAL CITY POLICE DEPARTMENT
1200 NATIONAL CITY BOULEVARD
NATIONAL CITY, CA 91950
FAX (619) 336-4447
PHONE # (619) 336-4447
Please contact us by phone before sending a FAX

### FIELD PROPERTY RECEIPT / RELEASE FORM

NATIONAL CITY POLICE DEPARTMENT, CITY OF NATIONAL CITY, CALIFORNIA 1200 NATIONAL CITY BLVD \* NATIONAL CITY, CA 91950-4594 \* (619)336-4447

NCPD CASE # 0402679 OFFICER'S NAME / ID# GRANDE		DATE 101804
EVIDENCE SAFEKEEPING PROPERTY RECEIVED FROM:	FOUND DV HOLD	HELD PER 8102 W&I (5150 W&I) SEARCH WARRANT
LAST NAME FIRST	MIDDLE	PHONE NUMBER
OWNER OF PROPERTY:	THE RESERVED THE PROPERTY OF T	
LAST NAME FIRST OFFICER WILLER	MIDDLE	PHONE NUMBER ( )
MAILING ADDRESS:		CONTACT PHONE NUMBER
STREET#	APT#	( )
CITY: STATE:	PRINTER BERNOWN OF BEING CONTRACTOR OF THE STANDARD CONTRACTOR OF THE STAND	ZIP CODE:
DESCRIPTION OF PROPERTY:		
TAG# DESCRIPTION (BRAND, MODEL,	COLOR, ETC.)	SERIAL #
¥20183		
IZO184 IZO185		
FOLLOWING STATEMENT TO BE SIGNED BY THE ITEMS WERE FOUND, THAT ALL ITEMS HAVE BEE SIGNATURE OF FINDER:	FINDER: <u>L DECLARE UN</u> EN SURRENDERED, AND	
ACKNOWLEDGMENT (MUST BE SIGNED	BY PERSON IN PO	DSSESSION OF PROPERTY)
THIS FORM CONSTITUTES NOTIFICATION OF YOU	JR RIGHTS ACCORDING	3 TO LAW. YOUR SIGNATURE IS NOT AN ADMISSION
OF RESPONSIBILITY, BUT INDICATES THAT YOU F THIS SHEET FOR AN EXPLANATION OF YOUR RIG	łave received a cop) hts.	PY OF THIS NOTICE. PLEASE REVIEW THE BACK OF
SIGNATURE:	The state of the s	RANGE TO THE RESIDENCE OF THE PROPERTY OF THE
RELEASE FORM: (OFFICER: DO NOT SIG	N UNLESS AUTHORIZIN	NG RELEASEI)
I CERTIFY UNDER PENALTY OF PERJURY THAT I A PROPERTY, I HAVE TAKEN POSSESSION OF THE OFFICER'S SIGNATURE / ID # AUTHORIZING RELE	DESCRIBED PROPERTY	
	-UID	DATE 10-29-04
IDENTIFICATION TYPE / NUMBER		DATE TO FILE
WALL DO LOW LEFT HORDER		
MUST CALL TO MAK	(E AN APF	POINTMENT 336-4447

PD-360 (REV 08/2003)

WHITE & YELLOW -PROPERTY

PINK-CITIZEN



### FIELD PROPERTY RECEIPT / RELEASE FORM

NATIONAL CITY POLICE DEPARTMENT, CITY OF NATIONAL CITY, CALIFORNIA 1200 NATIONAL CITY BLVD \* NATIONAL CITY, CA 91950-4594 \* (619)336-4447

NCPD CASE # OFFICER'S NAME /			DAT	E 16.1969
IEVIDEI		FOUND	1.15.1	D PER 8102 W&I (5150 W&I)
SAFEKI PROPERTY RECEIV	EEPING	DV HOLD	THE REAL PROPERTY AND PART	RCH WARRANT
LAST NAME	FIRST	MIDDLE	PHO	NE NUMBER /
OWNER OF PROPE	e fra conference a ser anno comment superior de la conference de la confer			
LAST NAME OFFICER	ATTENDED FOR THE PROPERTY OF THE PARTY OF TH	MIDDLE	PHO (	NE NUMBER )
MAILING ADDRESS	*		CONTACT PHO	NE NUMBER
STREET#	American resident for the first way to find the second state of the second seco	APT#	(	)
CITY:	TOTAL CHARGE AND DESCRIPTION OF THE PARTY OF	ATE:	ZIP CODE:	
DESCRIPTION OF				
TAG# DESCRI		DDEL, COLOR, ETC.)	SER SER	IAL#
The same area and a second and	1000			
T. JONES H.		-		
1 24.3/252	* * * * * * * * * * * * * * * * * * *			
FOUND PROPERT				
FOLLOWING STATEME ITEMS WERE FOUND. SIGNATURE OF FINDE	NT TO BE SIGNED B THAT ALL ITEMS HAV	Y THE FINDER: <u>LDECLARE U</u> /E BEEN SURRENDERED, AN	NDER PENALTY OF PER D I DO NOT KNOW WHO	
		SNED BY PERSON IN PO		
		JE YOUR RIGHTS ACCORDING YOU HAVE RECEIVED A COR		TURE IS NOT AN ADMISSION
THIS SHEET FOR AN E			PT OF THIS NOTICE. PLE	EASE REVIEW THE BACK OF
SIGNATURE:				
RELEASE FORM:	(OFFICER: DO N	OT SIGN UNLESS AUTHORIZI	ING RELEASE!)	
		HAT I AM THE LAWFUL OWN	- July 2017	ABOVE DESCRIBED
OFFICER'S SIGNATURE	:/ID#AUTHORIZING	RELEASE	DATE	<u> </u>
PROPERTY RELEASED	то:	3000	DATE	(0-16-6-1
DENTIFICATION TYPE	NUMBER	,		
MIICT CA	IITAM	AKE ANIAD	DAINTE	NT 336-4447
IVIU I UP	LL IVIVI	MIN MIN M	T VIIN I IVIC	APP-OCCIVI

of the contraction

Item Listing Activity Number: 0402679

#### National City Police 1200 National City Blvd National City, CA 91950

										Manonai	Oity,	OM OI	000
Bar Code	Description	Activity Num	Violation	Seized Date	Received Date	Status Date	Status	Locker or Last Dest	Recd	Out		Qty In	UÒM
10020167		0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	ÍN	LW159A	Qty 1	Qty 0	Qty 0	1	EA
10020168		0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	ĪÑ	LW159A	1	0		'i ~	ĒA
10020169		0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004		LW159A	1	Ō	0	1	ĒΑ
10020170		0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	IN	ĹW159A	1		0	· 1 "	EA
10020171 10020172		0402679/B 0402679/B	215(A) 215(A)	03/11/2004 03/11/2004	03/17/2004 03/17/2004	10/18/2004 10/18/2004	<u>IN</u> IN	LW159A LW159A	1	0	Ò	1	EA
10020173		0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	IN	LW159A	1 .i		Ö	1	EĀ
10020174		0402679/B	215(A)	03/11/2004	03/17/2004				1	0		1	EA
10020175		0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004 10/18/2004	SPLIT DISP	LW159A RTO	3	<u>3</u> .	0 1	6	EA EA
10020176		0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	DISP	RTO	1	0	1	0	EA
10020177	mag w/ bullets	0402679/8	215(A)	03/11/2004	03/17/2004	10/18/2004	DISP	RTO	9	0	9	0	EΑ
10020178	mag will bullets	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	DISP	RTO	16	0	16	0	EA
10020179	mag w/ bullets	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	DISP	RTO				-	EA
10020180	Miller	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	IN		16 10	0	16	. 0	EA
10020181	Off Miller	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	IN IN	LW159A	10	. 0	0	10	ËΑ
10020182-	Off Miller uniform	0402679/B	215(A)	03/11/2004	03/17/2004			LW159A	1	0	. 0	1	ĒΑ
10020183	off millers,gun	0402679/B	215(A)	03/11/2004		10/18/2004	IN	LW159A	1	0	0	1	EΑ
1	belt.boots	O-TOMOTO E	£ 10(A)	03/11/2004	03/17/2004	10/18/2004	IN	LW159A	1	0	0	1	EA
10020184	uniform shirt	0402679/B	215(A)	03/11/2004	03/17/2004	10/40/0004		"Tariffor"	. ,				
10020185	uniform pants	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004 10/18/2004	, IN	LW159A	.1	0	0	1	EA
10020186	miller, uniform, veh	0402679/B	215(A)	03/11/2004	03/17/2004		IN	LW159A	1	0	0		EA
10020187	PISTOL	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	SPLIT	LW159A	4	-4	0	8	EA
		0 10201 015	2.10(1)	05/11/2004	03/17/2004	10/18/2004	DISP	RTO	1	0	1	0	EA
10020188		0402679/B	215(A)	03/11/2004	03/17/2004	10//0/0004	DIOD	mm's		_			
1	from chamber			00/11/2004	03/17/2004	10/18/2004	DISP	RTO	1	0	1	0	EA
10020189	mag w bullets	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	INI	110/4504	40		_		
10020190	mag was bullets	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	IN IN	LW159A	. 12	0	0	12	<u>E</u> A
10020191	mag w/ bullets	0402679/B	215(A)	03/11/2004	03/17/2004			LW159A	_14	0	0	14	ËÄ
10020192	mag w/ bullets	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	IN	LW159A	14	0	0	14	EA
10020193	off Harward	0402679/B	215(A)	03/11/2004	03/17/2004	10/18/2004	IN.	LW159A	14	.0	0	14	EA
V 44 14 17	1.0			00/11/2004	03/1//2004	10/18/2004	IN	LW159A	10	0	0	10	EA

10/20/2004 03:59 pm Printed By: aflores

Page 3 Report #STDEC003

#### Check-Out Release Form

**Property Facility** 

National City Police Department 1200 National City Blvd National City CA 91950

(619) 336-4447

Destination

**INVESTIGATIONS** 1200 NATIONAL CITY BLVD NATIONAL CITY, CA POLICE DEPARTMENT

SGT RANDY TRIVIZ (619) 336-4481

Case Number: 0402679

Case Officer: 330 Released By: 5610 Released To: 249

E 28TH STREET

OFFICER GONZALES, MANNY PES CASTRO, VANESSA DET. GRANDE, DAVID

Rec ID: 10245

Date: 10/5/04 Time: 11:34 am

Item ID Description Serial Number Quantity 10020731 VIDEO CASSETTE & audio int w/ miller

Page 1 of 1, 1 Items 1 total Items released

SIGNER ACKOWLEDGES RECEIPT OF ABOVE ITEMS AND THE RESPONSIBILITIES THEREIN. DET. GRANDE, DAVID

Print Name

Continued From: OTHER	San Diego Regional								
Officer Officer				''s Report			Case Number		
Code Section And Description		N	arrative			1 of 4	040267	19	
PC / 187'664 / ATTEMPTED N	/URDER/DEGRÉÉ UNSPE	CIFIED		Date 03/11/2004		Day of Week THU	Time 11:50		
Location Of Incident (Or Addre 620 E. 24th St. (South Parking	ss) : Lot)		**************************************		City		District		
Person(s) involved: Victim					NATION	AL CHY		240	
Suspect (If Named) Ortiz, Richard									
Property Tag No.(s)							<del></del>		
		· · · · · · · · · · · · · · · · · · ·							
			Supplemen						
On March 11, 2004 at Shooting that occurred identified as Richard (sedan, along with a Wood on March 10, 2000 when National (apprehend Ortiz. Ortiz short distance away.	In the south park Ortiz 10/12/81 wa hite male and His 04 at about 2330 City Police Office	cing lot of s driving a panic fem hrs. Ortiz rs C. Mille	620 E. 24 <sup>th</sup> I stolen blue ale passenge was identifier and D. He	St. in Nation 1986 (1986)  The street of the decrease of the d	onal Ci ad stole lriver o	en the blue of the blue	pect, 4-door		
The officers were unal for their safety and to the	ole to escape the p prevent serious in	oath of the jury or dea	ath, drew the	due to	o Ortiz' ns and f	driving, ar ired severa	nd feari I round	ng ls at	
Ortiz drove past the of high rate of speed thro arrest by police. Due to which was stopped at the Hispanic female juven impact from the collision foot, and attempted	ugh an Elementar o Ortiz' wreckless he south corner of the identified as on, and suffered s	y and High and negli f 600 E. 28 erious inju	n School are gent driving 3 <sup>th</sup> St., dropp was throw ury. Ortiz the	a in attem , he struck ing of a si in from the en fled the	pt to ever a white tudent.	vade apprehte/gold The studen  of the traffi	t, a	and	
During the investigatio victim, witness stateme	n, detectives were ents:	able to de	etermine the	following	g from <sub>l</sub>	ohysical evi	idence	and	
Synopsis									
On March 10, 2004 at a Lic# drove to two Hispanic males ide the residence. Ortiz, whand Ortiz pulled a ten (1) Reporting Officer	E. 28 <sup>th</sup> St. to ntified as Richard to demanded that (0) inch blade kni	Ortiz 10/ Ortiz 10/ give fe from hi	nds. While a 12/81 and thim his most waistband	t the resid oney, appr and point	lence,	in the re		ed by d of used,	
GRANDE CHICER	ID # 249	Division INV	Approved	Зу		Date of Report 03/14/2004	Time 15:06		
	AND THE RESIDENCE OF THE PROPERTY OF THE PROPE	\ cc	DPY /			Contin			
						Comit	ual I		

Continued From:

Continued From: OTHER -	San Diego				
Officer's Report Narrative				Page 2 of 4	Case Number 0402679
PC / 187*684 / ATTEMPTED M	Code Section And Description (one incident only) PC / 187*684 / ATTEMPTED MURDER/DEGREE UNSPECIFIED Date D3/11/2004				
Location Of Incident (Or Address 620 E. 24th St. (South Parking	ss) Lot)		City	AL CITY	District Beat
Person(s) Involved: Victim Suspect (if Named)					
Ortlz, Richard Property Tag No.(s)					*
Ortiz then walked tow At knifepoint, Ortiz the Ortiz then put the knife Ortiz attempted to remove taken his walked to the 7-11 storand auto theft after Ortiz was still driving up the left front driver walked back to be believed that Ortiz mighe called police to report On March 11, 2004 at a Enforcement Officer Control City. Carranza	Until several minutes later. Core located at E. 24th St. and High tiz did not return with his car. We co gas station lot, located in the the car, and ran over to Ortiz, do window and drove away.  E. 28th St. address, and neither the the bring the car back to the E. 2 ort auto theft and robbery.  About 1100 hrs, National City Porawford were investigating traffar saw the 1986 blue	eft hand and again and took his car less watch from the to do so.  with him.  In March 11, 2004 aland Ave. to call properties the 7-11 structured and the granding that he granding that he granding that he granding the car nor Ortiz results.  St. address and the car like the car nor Ortiz results and the car nor Ortiz results.	did no at abordice ore, and turned waite	t realize that out 0200 hrs and report the saw his Ave.  to the resid d until 0913  cranza and Fof 1900 Willed in the way	property. Cigarettes. ants pocket.  t Ortiz had he robbery saw that rtiz rolled ence. arking son Ave. in
license plate through D Hispanic male later pos approached Carranza. C extremely nervous. Orti while talking to her. Ca	saw that the car was occupied. I MV records and it had not been itively identified as Richard Oriortiz was wearing a black beanically was overly polite to Carranza rranza told Ortiz that parking in Ortiz, Carranza could see what	Oue to the traffic y reported stolen in it exited the left for and baggie light and continuously the alley was illest	riolatic the D ront di blue si wrung	on, Carranza MV system river side of hirt, and app g his hands t d that he we	ran the A The car and beared to be ogether
	,				

Reporting Officer GRANDE

ID# 249

	Continued From: OTHER Detective Sup	Sau Diego Re Officer's Re Narrativ		Page 3 of 4		umber 9		
	Code Section And Description PC / 187*664 / ATTEMPTED N	(one incident only) JURDER/DEGREE UNSPECIFIED	Date 03/11/2004	Day	of Week	Time		
	Location Of Incident (Or Addres 620 E, 24th St. (South Parking	88)		Ity		11:50 District	Beat	
	Person(s) Involved: Vlotim Suspect (if Named)			IATIONAL CI	I Y		240	
	Orliz, Richard Property Tag No.(s)							
	7,000							
	On March 11, 2004, at crime report from broadcasted by the license plate number	the alley, she waited for him to drive alley, she could see a White menger seat.  I about 1136 hrs, National City Polymer and regarding the robbery and ehicle description and license plate er as the same license plate checked attention and locate the ediate area, but could not locate the	ve out of the allegale adult, with locale adult, with locale of the second of the seco	y. As Or ng hair a anahan c le. As O	tiz drov nd a go omplete fficer Sh affney 1 r. Office	e the blatee sitted taking tanahar	ue ting g the	
i	Officer at Sweetwater westbound through the parked in a stall immediate area, and wanoccupied, both Office the parking lot, Office	sed officers in the field that  St. NCPD Officer D. Harward, wh  High School responded to the area south parking lot of 620 E. 24 <sup>th</sup> St  n the parking lot, and believed it w  as able to call NCPD Officer C. Ma  er Harward and Miller approached  cer Harward was contacted by a W  the officers that his blue  of 600 E. 24 <sup>th</sup> St.	o is currently ass to check for the Officer Harward as unoccupied. Caller for assistance	igned as vehicle. d saw Difficer He. Believe g lot on coycle, lat	a School While transport arward ring the foot. When the foot was a second control of the control	ol Resort raveling left the vehicle hile wal	urce was lking	
Ρ	arking ioi uriveway en	Miller continued toward the parking strance. Officer Harward heard "Stop, don't go anywhere."	yelling at som	le his bic leone ins	eyele to side the	the sou parking	th g lot,	
e; o: 10	ye contact. Ortiz suddent f the vehicle's tires sque to obtain a high rate of s	I Miller walked south into the sout of a parking stall. Officer Harward only pressed on the vehicles' accelerating, which is consistent with the speed. Officer Harward and Miller ocer Harward yelled at the driver of	and the Hispanic erator, and the off e rapid accelerati were positioned	male dragger male	iver, Or uld hear	the sou	ınd	

Reporting Officer GRANDE	ID# 249	Division INV	Approved By	Date of Report 03/14/2004	Time 15:06	ļ
		COPY		C141	<u></u>	

Officer Nar	San Diego Regional Officer's Report Narrative		Page Case Num 4 of 4 0402679	
Code Section And Description (one incident only) PC / 187*664 / ATTEMPTED MURDER/DEGREE UNSPECIFIED Location Of Incident (Or Address)	Date 03/11/2004	Day of Week THU	Time 11:50	-
620 E. 24th St. (South Parking Lot) Person(s) Involved: Violim	City NATI	ONAL CITY	District	Beat 240
Suspect (If Named) Orliz, Richard Property Tag No.(s)				

The blue accelerated forward at a high rate of speed from the south side of the parking lot toward the officers. The officers realized that Ortiz was not going to stop, and as they moved northbound, Ortiz redirected the vehicle toward the officers at a high rate of speed. Fearing for their safety, believing that Ortiz had the intention of striking them with the vehicle, they drew their weapons and fired at the vehicle from about fifteen feet away as they attempted to move out of the way. The right front fender

## SAN DIEGO COUNTY SHERIFF'S DEPARTMENT CRIME LABORATORY CASE NUMBER# 04001391-T

(continued)

#### **DISPOSITION OF EVIDENCE**;

I sealed all evidence prior to returning to Sheriff's Property and Evidence Unit.

DIANE N. DO, LATENT PRINT EXAMINER

VERIFIED BY / DATE | Colonia

ADMIN DEVIEW/DATE OWN Come 4/29/04